The Manindra Chandra Nandy Lectures, 1925

SOME ASPECTS OF ANCIENT HINDU POLITY

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PREFACE

The Lectures printed in this book were delivered by me as Manindra Chandra Nandy Lecturer before the Benares Hindu University in February, 1925. The text of the Lectures is practically the same as it was when I delivered them excepting Lecture II, which has been somewhat recast for the reasons stated on p. 30, n. 1. The footnotes, however, have been modified and added to here and there. The Lectures, it will be seen, deal with "Some Aspects of Ancient Hindu Polity." The importance of the subject was first perceived with prophetic vision by K. P. Jayaswal, Esq., M.A. (Oxon.), Bar-at-Law, who began by contributing thought-provoking articles to the *Modern Review* in 1913. His mature views will now be found enshrined in his classic book entitled 'Hindu Polity', which came out a little more than four years ago. Following the example of Mr. Jayaswal, I delivered, in 1918, two Lectures on this subject in connection with my First Carmichael Lectures Series, and had with me materials for three more Lectures, which have now been utilised for the Series delivered before the Benares University. In 1918 the subject had not made much headway, and, in fact, would not have progressed with great strides if scholars like Prof. R. C. Majumdar, Mr. Benoy Kumar Sarkar, Dr. Narendra Nath Law, Dr. Upendra Ghosal, Mr. N. C. Ganguly, Mr. Narayan Chandra Banerji and Mr. Hem Chandra Ray had not joined our ranks. Hindu Polity, like any other subject connected with Indology, has now become so vast and specialised that after the lapse of five more years I do not think I can bring myself with any confidence to deliver any further course of Lectures on this subject. And I fear that perhaps even in regard to the Lectures here printed I may not be in some cases as up to date as I ought to have been. But if any impartial critics think that this book contains something new and is not a mere compilation, I shall feel my labours more than amply repaid.

D. R. Bhandarkar

LECTURE I.

Hindu Science of Politics.

It can rightly be maintained that no Indian deserves to be called an educated man unless he knows something about the history of his country, that is, about his intellectual and spiritual ancestry. It is true that the history of India covers a very wide range, but it is not necessary for him to acquaint himself with any of the dry, technical or complicated questions connected with chronology or archæology. But there are, indeed, certain matters relating to India, above all, Ancient India, about which he must know something. One of these is whether Indians ever showed activity in the political field and made any contribution to the political science. Perhaps some of us may be surprised that such a question should have been started at all for our consideration. For, has not Prof. Dunning in the Introduction[1] to his work entitled "A History of Political Theories, Ancient and Mediæval" said: "The Oriental Aryans never freed their politics from the theological and metaphysical environment in which it is embedded to-day," and further told us that he was therefore compelled to limit himself "practically to the philosophy of the European Aryan peoples." Prof. Dunning, it may however be contended, had no direct knowledge of orientalia. But so far as India is concerned, this is also the view most emphatically

[1] P. XIX.

held by almost all the scholars who have studied or written about its history and culture, ancient or modern. Let us consider what the late Prof. Max Muller and Prof. Bloomfield, for instance, have said about the matter. "The Indian," says the former,[1] "never knew the feeling of nationality, and his heart never trembled in the expectation of national applause......The only sphere where the Indian mind found itself at liberty to act, to create, and to worship, was the sphere of religion and philosophy ; and nowhere have religious and metaphysical ideas struck root so deep in the mind of a nation as in India. The Hindus were a nation of philosophers......Taken as a whole, history supplies no second instance where the inward life of the soul has so completely absorbed all the practical faculties of a whole people, and, in fact, almost destroyed those qualities by which a nation gains its place in history." Prof. Bloomfield holds practically the same view. "From the beginning of India's history," says he,[2] "religious institutions controlled the character and the development of its people to an extent unknown elsewhere............There is no provision in such a scheme for the interest of the State and the development of the race. Unintentionally, but none the less effectively, they are left out of account, leaving a corresponding blank in India's national character." This is the view of two savants, one German and the other American, regarding the typical cast of the Indian mind. They seem to hold that the activity

[1] *History of Ancient Sanskrit Literature*, pp. 30-31.

[2] *The Religion of the Veda*, pp. 4-5.

of the Indian mind exhausted itself in the development of religious and philosophical thought, with the result that India did not evolve any feeling of nationality and did not conceive any idea of the State. In other words, the Hindus made no contribution to the science of Politics, and India has therefore no place in the political history of the world. It cannot possibly be denied that there was some truth in this their estimate of the Hindu culture, and in fact, this appeared to be the correct view uptill very recently, when Kauṭalya's Arthaśāstra was brought to light. This monumental work has now for some years been before the scholars for critical study. And it is no longer correct to assert that the Hindu mind did not conduce to the development of the political theories. It is no longer correct to affirm that the Indians never freed their politics from the theological and metaphysical environments and never set up its science or art as an independent branch of knowledge. The very first chapter of Kauṭalya's work enlightens us on this point. It deals with the *vidyās* or branches of knowledge, which were prevalent in his time. All human knowledge known to India was, in the time of Kauṭalya, divided into four branches. They were *Anvīkshakī*, Philosophy, *Trayī*, Theology, *Vārtā*, Economics, and *Dandanīti* or Polity. Is it not clear from this enumeration that the Hindu mind sharply and unmistakably separated Polity, as also Economics, from Philosophy and Theology, and regarded it as an independent subject of study? It will further be seen that in the time of Kauṭalya the Hindu mind

showed equable regard to the sciences making for material progress and those conducing to spiritual culture. There was absolutely no encroachment of either Philosophy or Theology upon the domain of Polity or Economics, as no doubt was the case in later times. On the contrary, we have every reason to suspect that there was an encroachment the other way, that is, the encroachment of Polity upon Theology or Philosophy. Thus one school of politicians, namely, the Bārhaspatyas, distinctly laid down that Trayī or Theology, which consisted of Vedic literature and lore, was a pious fraud.[1] Nay, another school, namely, the Auśanasas ran to the extreme of reducing all *vidyās* to one, namely, Daṇḍanīti, and asseverating that Daṇḍanīti alone deserved to be called *vidyā*. Theology and Philosophy were thus subordinated by them to the Science of Polity which alone engrossed the mind of this school. Where such was the state of things, as we can clearly see from Kauṭalya's Arthaśāstra, it will now be absurd to affirm that the Indians had for ever subordinated the study of the Science of Politics to that of Theology and Philosophy and had never developed it as an independent branch of knowledge.

Quite in consonance with the above view we find that there was in existence a mass of literature bearing upon Daṇḍanīti or Arthaśāstra prior to the time of Kauṭalya.[2] In the first place, there were no less than four schools of Polity, namely, those of the Mānavas, the Pārāśaras, the Bārhaspatyas,

[1] *Ind. Ant.* 1918, p. 104.
[2] *Carmichael Lectures*, 1918, p. 89, and ff.

and the Auśanasas. Besides these, there were at least seven big treatises on statecraft, namely, those attributed to Bhāradvāja, Viśālāksha, Parāsarā, Pārāśara,[1] Piśuna or Nārada, Kauṇapadanta[2] or Bhīshma, Vātavyādhi and Bāhudantin or Mahendra. Kauṭalya is not the only writer who refers to these authors of Hindu Polity. They have almost all been mentioned in Chapter 55 v. 58 of the Śāntiparvan of the Mahābhārata, which also gives the additional name of Gauraśiras. Now, a school means a traditional handing down of a set of doctrines and presupposes a series of *āchāryas* or teachers, who from time to time carried on the work of exegetics and systematisation. Further, there were no less than four schools of polity known to India in Kauṭalya's time. There were, again, some independent treatises on this subject, as we have just seen, which do not seem to be connected with any school. All things considered, we may reasonably infer that the study of Polity must have begun as early as the seventh century B.C., if not earlier. This seems quite in keeping with the fact that tradition assigns the origin of this science of Daṇḍanīti to the god Brahmā. We are told about this, for instance, in chapter 59 of the

[1] Compare *Manave Vāchaspataye Śukrāya Parāśarāya sa-sutāya* in *Tantrākhyāyikā* (Harv. Ori. Series, Vol. 14), v. 2. This clearly shows that both Parāśara and his son Pārāśara were known as authors of polity.

[2] I. have elsewhere expressed the view that Kauṇapadanta's work is most probably represented by the *Rājadharam-ānuśāsana* of Bhīshma, which forms the first part of the Śāntiparvan of the Mahābhārata. This work seems to have been incorporated into the epic like the *Bhagavadgītā.*

Sāntiparvan. Brahmadeva brought out a long treatise treating of *tri-varga* or the three aims of life, namely, *dharma*, *artha* and *kāma*, and consisted of one hundred thousand chapters. As the Daṇḍanīti portion of it was found to be a colossal work, it was first shortened into ten thousand chapters by Viśālāksha, that is, the god Śiva. Śiva was followed by Bāhudanta or Indra, who abridged it into a work comprising five thousand chapters. Then came Bṛihaspati and Uśanas who further reduced them to three thousand and one thousand chapters respectively. This representation of the science as emanating from different Gods and demigods doubtless points to a hoary antiquity. This agrees with the fact that the Arthaśāstra is said in the *Charaṇavyūha*, the 49th *Pariśishṭa* of the Atharvaveda, to be an Upaveda of the Rigveda.[1] To say that the theory of Upavedas was invented by Brāhmaṇs at a later period to connect all Śāstras, even the most profane, with their Vedas and thus to make them Brahmanical is nothing but a gratuitous assumption. The Brāhmaṇs have all along looked askance at Arthaśāstra and are never weary of reiterating, when their influence begins to increase, that wherever there is an opposition between Arthaśāstra and Dharmaśāstra, the former is to be set aside in favour of the latter.[2] When, therefore, we find Arthaśāstra raised to the rank of an Upaveda by the *Pariśishṭas* of the Atharvaveda, we have to suppose that it originated at a very early period. Considering all things together, it will not be at all

[1] *Calcutta Review*, 1924, (April No.), pp. 1-2.
[2] *Yājñavalkya-smṛiti*, II. 21; *Nārada-smṛiti*, I. 99 and 134.

unreasonable to maintain that Arthaśāstra or Daṇḍanīti could not have originated itself later than 650 B.C.

Let us now try to understand a few more details about these works of polity which were composed prior to the time of Kauṭalya. In what form were they put together? Did they consist of Sūtras like Kauṭalya's Arthaśāstra, or were they in the metrical form? This is the first question that we have to tackle. Any scholar who carefully reads the chapters of the *Rājadharm-ānuśāsana* comprised in the Śāntiparvan will be able to answer it. For these chapters are interspersed with some verses, preceded with the remark that they belong to such and such an author.[1] Thus Chapter 57 ends with two verses, preceded by another which tells us that they are the verses of (Prāchetasa) Manu. Similarly, verse 11 of Chapter 121 is both preceded and followed by the remark that that verse was sung by Manu. No reasonable doubt can thus be entertained as to these three verses being quoted from a treatise on polity attributed to Manu. We have likewise verses cited which are ascribed to Bṛihaspati and Uśanas (or Bhārgava). Again, in Chapter 67 occurs the following verse:

> etay-opamayā dhīraḥ saṃnameta balīyase ।
> Indraya sa praṇamate namate ye balīyase ॥

The second half of this verse may be compared to *Indrasya hi sa praṇamati yo balīyase namati* which is attributed to Bhāradvāja by Kauṭalya.[2] In fact, if the word *hi* is omitted from this last line, we

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[1] *Carmichael Lectures*, 1918, p. 185 ff.

[2] *Arthaśāstra*, p. 382.

practically obtain this second half of the Anushṭubh. And it may be safely inferred that this whole verse must be of Bhāradvāja's composition. Again, it was only the other day that the late M.M. T. Ganapati Sastri drew our attention to a verse from Viśālāksha quoted by the great Śaṃkarāchārya's disciple, Viśvarūpāchārya *alias* Sureśvarāchārya, in his commentary the *Bālakrīḍā*, on the *Yājñavalkya-smṛiti*.[1] We have thus at least five authors of Hindu Polity, prior to Kauṭalya, whose works were in metrical form.

Many of the chapters of the Śāntiparvan narrate incidents in the form of dialogues which are designated *purātana itihāsa*. Most of these *itihāsas* relate to matters connected with Dharma, Purāṇa and so forth. But some, though very few, relate to the Arthaśāstra. One of these is set forth in Chapter 68, where we are introduced to a discourse between Bṛihaspati and Vasumanas king of Kośala. Vasumanas pays his homage to the great sage, and asks him the following question: "Through whom do creatures grow, and through whom are they destroyed? Oh Thou of great wisdom, by adoring whom should they obtain eternal happiness?" Thus questioned, Bṛihaspati gives the reply, by dwelling on the paramount necessity of having a king at the head of the State. Then in Chapter 140 we are introduced to another dialogue, this time between the sage Bhāradvāja and Śatruñjaya king of Sauvīra. The latter requests the former to expound the four constituents of Daṇḍanīti, and Bhāradvāja commences by pointing out the extreme importance of holding the chastising

[1] *Kauṭalīyam Arthaśāstram* (T. S. S.) Pt. I. Intro. p. 6.

rod always in readiness. Similarly, Chapters 64-5 introduce us to a third dialogue, namely, between king Māndhātā and the god Indra who is here identified with Vishṇu. As the personages here exhorted are all kings and those who deliver the discourses, namely, Bṛihaspati, Bhāradvāja and Mahendra, are among the reputed authors of polity, it is difficult to avoid the conclusion that some glimpses, though dim and insufficient, have been here afforded us into the construction of their works. It appears that what is called the *Bārhaspatya-sāstra* was a treatise on polity consisting of a dialogue between Bṛihaspati and Vasumanas, king of Kośala. Similarly, the work associated with the names Bhāradvāja and Mahendra seem to be dialogues betewen them and kings Śatruñjaya and Māndhātā respectively, and comprised the extensive answers of the former to the string of questions put by the latter. Secondly, it is worthy of note that all these dialogues on polity have been called *Itihāsa* by the Śāntiparvan. This is exactly in keeping with the fact that Kauṭalya places Artha-śāstra, like Purāṇa and Dharmaśāstra, under Itihāsa.

Now, the scope of the Arthaśāstra is defined by Kauṭalya as follows:

manushyāṇāṁ vṛittir=arthaḥ; manushyavatī bhūmir=ity=arthaḥ; tasyāḥ pṛithivyā lābha-pālano-pāyaḥ śāstram=Arthaśastram=iti.[1]

"The source of subsistence to mankind is *artha;* in other words, it is the earth which contains men. Arthaśāstra is (thus) the science which shows how to acquire and preserve that earth." Precisely the

[1] *Arthaśāstra*, p. 426.

same thing has been said by Kauṭalya at the very beginning of his work (*pṛithivyā lābhe pālane cha yāvanty=Arthaśāstrāṇi*, etc.). It will thus be seen that Arthaśāstra is the science which deals with the acquisition and maintenance of the earth. Let us now examine what Kauṭalya says about the nature and scope of Daṇḍanīti. Daṇḍanīti, says he, is the wielding of *daṇḍa*[1] and concerns itself with four things, namely, (1) acquisition of what has not been acquired (*alabdha-lābh-ārthā*), (2) preservation of what has been so acquired (*labdha-parirakshaṇī*), (3) augmentation of what has been so preserved (*rakshita-vivardhaṇī*), and (4) distribution amongst the deserved of what has been so augmented (*vṛiddhasya tīrtheshu pratipādanī*).[2] In Chapter VII (verses 99-101) Manu refers precisely to these four things. It is true that there he remarks apparently that they constitute the fourfold object of human existence. But the same have been made applicable to the Daṇḍanīti, and, in fact, Manu tells us immediately afterwards that the king has to acquire what has not been acquired and so forth, by means of his *daṇḍa,* which the commentators have rendered by 'army'. And what else but land or territory can be acquired by a king with his *daṇḍa*? Daṇḍanīti must therefore be supposed even from Manu's standpoint to be concerned with land or territory. It will thus be seen that Arthaśāstra is but a part of Daṇḍanīti, as it concerns itself only with the first two of the four topics that fall within the scope of the latter.

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[1] *Ibid.*, 9.

[2] Compare *Śāntiparvan*, Chap. LIX, v. 57; Chap. CXL. v. 5.

It has been maintained by some scholars that Arthaśāstra concerns itself with that *artha* which forms the second constituent of the *trivarga* or the three-fold aim of life—*dharma*, *artha* and *kāma*.[1] This no doubt receives some support from the fact that Vātsyāyana at the beginning of his *Kāmasutra* tells us that Prajāpati or Brahmā created people and recited to them a work consisting of one hundred thousand chapters, to enable them to attain *dharma*, *artha* and *kāma*. That part which related to *dharma*, says Vātsyāyana, was separated by Manu, that which related to *artha* by Bṛihaspati, and that which related to *kāma* by Nandin. As Bṛihaspati is looked upon as a founder of Hindu Polity and author of an Arthaśāstra and as this Arthaśāstra is here said to handle just that *artha* which is the second ingredient of the Hindu *trivarga*, it seems that this science concerns itself with the attainment of wealth by people of all classes. This is, however, not the sense in which Kauṭalya has understood the term. We have seen above that he takes *artha* of Arthaśāstra in the definite sense of 'earth' or 'territory inhabited by mankind'. This Kauṭalya has told us not in one but in two different places, once at the very commencement of his work and the second time about its close. This is not all. In the first chapter of his work, he tells us, in brief, what constitutes the subject matter of Trayī or Theology, Vārtā or Economics and Daṇḍanīti or Polity. The subject matter of this last science (*vidyā*), he tells us distinctly and unmistakably, is

[1] *Calcutta Review*, 1924, (April No.), p. 1 ; *Kauṭiliyam Arthaśāstram* by J. Jolly (Punjab Sk. Series, No. IV.), Intro. p. 4-5.

naya and *anaya*, that is, right policy and wrong policy, and not at all *artha* and *anartha*, wealth and non-wealth, which form the subject matter of Vārtā or Economics alone. The science that dealt with *artha* or wealth was, according to Kauṭalya, Vārtā, and not Arthaśāstra or Daṇḍanīti. From the time of Vātsyāyana, that is, from the fourth century A.D. onwards, not even the name of Vārtā is heard or is traceable. It seems to have been almost lost. And it is quite possible that Arthaśāstra, through its etymological sense, was taken to relate to *artha* or wealth in general, which, however, formed the legitimate sphere of enquiry, not of Arthaśāstra or Daṇḍanīti, but of Vārtā alone. In fact, there is no work of Arthaśāstra earlier or later known to us at present, which deals not with the acquisition of territory and its preservation, but with the acquisition of wealth by the generality of men.

The most detailed work on Arthaśāstra that has survived to our time is that of Kauṭalya. Let us glance at its table of contents to find out how this science intended to handle the two parts which form the subject matter of Arthaśāstra. We have only to pass before our mind's eye the titles of the various chapters of Kauṭalya's work to determine under which section any particular chapter has to be classed. Curiously enough, the second section of the science which deals with the preservation of what has been acquired seems to have been first taken in hand. To begin with, we have some chapters speaking of the king and his family, some of the hierarchy of officials and some even of the civil law. The chapters

dealing with the king and his family tell us not only how a king should control all his senses and what duties he should perform at what hours of the day, but also how the female apartments should be constructed and how he should protect himself against any attempt at life in the seraglio. They are also not weary of telling us how kings should watch the princes "who are like crabs inclined to devour their begetters", and how very necessary it is to impart the proper kind of education to them. Then we have also chapters telling us with what care and circumspection a king should select his counsellers and priests. And we have got one full *adhikaraṇa* or book, enumerating the titles and functions of the different officials and advising the king how he can exact the maximum of work out of them. It is also followed by another *adhikaraṇa* which deals with the civil law and specifies minute details in regard to its proper and effective administration. The next section is entitled *Kaṇṭakaśodhana*, and sets forth different measures such as the police regulations and the administration of criminal law with a view to get rid of such thorns or obnoxious people as are a danger to the country. Then there are other *adhikaranas* also which detail the different methods by means of which a king can clandestinely get rid of unreliable ministers, traitors and state enemies, or can fill his empty treasury, and also augment the sources of state revenue. In fact, the first five *adhikaraṇas* of Kauṭalya's Arthaśāstra concern themselves with the preservation of the country that has been acquired. But from the sixth *adhikaraṇa* onwards

the work deals with the other subject matter of the science, namely, the acquisition of the new territory. Thus the sixth and the seventh *adhikaraṇas* treat not only of the seven *prakṛitis* or constituents of a state but also of the *maṇḍalas* of friendly and hostile neighbours, and the six methods of foreign policy relating to peace, war, neutrality, mobilisation, alliance and double policy. Then follow two *adhikaraṇas* which are devoted to military matters, the recruiting and organisation of armies, and so forth. Then there are at least two *adhikaraṇas* which teach the different methods of secretly conquering or getting rid of an enemy in the hostile country. But whether we concentrate our attention on the acquisition of the new territory or on the preservation of what has already been acquired, this much is certain that a king can not possibly do without spies. Whether he is warring with his hostile neighbours or maintaining peace in his own kingdom, he must have his spies employed against enemies within or outside the State. The different classes of spies have been specified, and the methods of extorting work from them described. One can hardly go through the work of Kauṭalya without receiving the impression that in his time the espionage system had been developed almost to a perfection.

We thus obtain a clearer and more accurate view of the aim and scope of the Arthaśāstra. But Arthaśāstra is part of a bigger science called Daṇḍanīti, and deals only with the first two of its four constituents. The remaining two are: (1) augmentation of what has been preserved and (2) distribution among the

deserved of what has been so augmented. What the exact scope of each is, that is to say, what different subjects are treated of under each head, is not known, as unfortunately not a single work of the whole science of Daṇḍanīti has been preserved for our study. Let us, however, try to understand what was in all likelihood included and discussed under these heads. Kāmandaka, a later author of Hindu Polity, while describing the scope of his *Nītisāra*,[1] restricts it to the two points: (1) acquisition of the earth, and (2) its maintenance, exactly as Kauṭalya does in the case of his Arthaśāstra. But Śaṅkarārya, while commenting upon this statement of Kāmandaka, says that there are two other constituents of this science, but that they are not mentioned as these are but particular forms of the first two. And he goes on further to tell us that the augmentation of what has been preserved is the same thing as a new acquisition and that its bestowal on worthy objects, such as on a meritorious son or disbursement on Aśvamedha and other ceremonies is in every way tantamount to its protection. Śaṅkarārya's explanation is but another instance of commentators offering tentative surmises about things where traditional knowledge of their exact nature and scope is lost. For what is the good of specifying these as the last two constituents of Daṇḍanīti if they are practically identical with its first two components? They have therefore to be interpreted differently, as they must denote entirely different things and cannot be mere replicas of the first two constituents. What exactly they

[1] 1. 1. 8.

signify and denote we do not know, but like Saṇkarārya we may also make an attempt at some shrewd guess. The first of these is, as we know, "augmentation of what has been preserved". This does not mean acquiring new territories, but rather developing and exploiting the country that has been already acquired and preserved. It must point to the adoption of measures which can make the old kingdom already in possession yield more wealth and additional source of revenue. Those who have read Kauṭalya carefully cannot fail to be impressed by the State policy which is fairly well indicated in his work and which looks like modern State Socialism. The state of Kauṭalya owned all the most important gifts of nature, such as agricultural land, the mines, and the forests, and managed them by the creation of different Adhyakshas or Superintendents. The State took active steps for the formation of new colonies, that is, the establishment of villages and towns by people emigrating from the thickly populated areas of the country, or by foreigners encouraged to immigrate. The state certainly owned agricultural land at least in these new settlements and appointed Sītādhyaksha or Superintendent of Agriculture, who, in addition to the general duty of supervising agriculture, irrigation and manuring in the whole country, was entrusted with the special work of cultivating agricultural lands belonging to the State, by the employment of "slaves, labourers and prisoners" and with the necessary machinery and livestock owned and supplied by the State. Again, there were not only industries which were state-owned and state-managed, but also

industries in which the State was a joint partner. The State similarly participated, in its own capacity, in trade and commerce and devised various laws to control prices and profits, and exports and imports of the country. All these are features which the Kauṭalyan States possessed apparently in common with the modern State Socialism. Whether any conceptions of State Socialism were developed in Ancient India before or in his time will be discussed in the last Lecture. Most probably they were not, because these elements of the State policy described in Kauṭalya's Arthaśāstra were dictated not by the socialistic motive to check or destroy any economic environment felt to be ethically evil, restrictive and oppressive. But it cannot be denied that it gave rise to the economic motive of developing the resources of the country by specialised methods and thus intensifying and multiplying the sources of the State receipts. It must be these methods which were most probably treated and discussed under the third constituent of the Daṇḍanīti, namely, 'the augmentation of what has been preserved'. They have been referred to in brief in the Arthaśāstra, but must have been set forth at length in the third section of a treatise on Daṇḍanīti, drawing fully upon the subject matter of the science of Vārtā or Economics.

We now come to the fourth item, the consideration of which forms the last constituent of the Daṇḍanīti. In fact, it constitutes the end and aim of that science. It is *vṛiddhasya tīrtheshu pratipādīnī*, 'the distribution of the augmented (wealth) among the worthy'. What is the meaning of this? Who are the worthy entities

on whom the wealth has to be bestowed? It is a pity that no work of the Daṇḍanīti has been preserved which throws light on this point. It is true that Sankarārya, the commentator of Kāmandaka's *Nīti-sāra*, speaks of the bestowal of his kingdom by a king upon his meritorious son and his performances of the Aśvamedha and other sacrifices. An Aśvamedha, or, for the matter of that, any sacrifice, may perhaps be described as a *tīrtha* such as is contemplated by the authors of the Daṇḍanīti. But a king according to this exposition can bestow his realm on his virtuous son only when he wants to retire to a hermitage, and, it is seldom that a king's son can be found who is an object of veneration (*tīrtha*), the generality of princes being rightly described as "crabs ready to devour their begetters". Who could then these *tīrthas* be? And how were gifts to be made to them? This question also will be discussed in the last Lecture; and it will suffice here to say that Tīrthas are the recluses who were the heads and teachers, if not the founders, of schools and sects. They were the objects of veneration with all people, and the king was expected to honour them, not with honours merely but also with gifts, in order that they may live unhampered the life of contemplation for the good and exaltation of mankind.

We have already seen that no work which deals with Daṇḍanīti has been preserved, wholly or partially. And even in regard to the Arthaśāstra, the treatise of Kauṭalya is the only work that has survived. We know, however, with what strides Daṇḍanīti

had advanced before his time. There were not only many individual authors of great originality and eminence but also four schools of polity well-established and well-recognised. But it seems that things were fast changing and that the study of this science was becoming more academic and abstruse, and less practical and popular even before the time of Kauṭalya. The tendency to contraction and conciseness had already manifested itself. Chapter 59 of the Śāntiparvan, we have seen, has preserved for us the tradition about the original stupendous (but fabulous) work of Brahmā. Viśālāksha (Śiva) was the first to begin to shorten it. Then came Bāhudanta (Indra), Bṛihaspati, and Uśanas (Śukra), who each in his turn abridged it still further. Even Kauṭalya had to submit to this inevitable tendency of the day. At the very beginning of his work[1] he tells us in unmistakable terms that his treatise was a compendium drawn up from almost all the Arthaśāstras that were available. The reason of his preparing this abstract seems to have been adduced by him at the end of the first chapter of his book. "This treatise (*śāstra*)," says he, "has been composed by Kauṭalya, which is understood (even) by those capable (only) of easy apprehension, in which the exact word, meaning and truth have been ascertained, and which is bereft of (all) prolixity of style". Again, at the close of his work, he says: "This treatise has been

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[1] The word in the original is *saṃhṛitya*, which I take in the sense of 'having abridged', and not 'having collected, or gathered'. Compare it with *saṃkshiptā* in Daṇḍin's *iyam=idānīm=āchārya-Vishṇuguptena Mauryārthe shaḍbhiḥ śloka-sahasraiḥ saṃkshiptā.*

composed by him who quickly and through determination of purpose rescued the science (of polity), the art of weapon, and the earth which had passed to the Nanda kings". Putting all these things together, it appears that the study of this science, probably on account of its extreme and tedious voluminousness, was becoming more and more distasteful, that Kauṭalya composed a work which was a sort of abstract from almost all the Arthaśāstras known up till his time, shorn of all its pedantic discussion and consequently serving as a valuable guide to the budding politician who could now easily grasp and comprehend it and that he thus rescued it from the complete oblivion that had threatened it. In one place, he distinctly tells us that Daṇḍanīti is to be studied from both a theoretical teacher (*vaktā*) and a practical worker (*prayoktā*).[1] The gulf was probably widening between the two, and the study of the science was being abandoned by the diplomat and the politician. And what Kauṭalya seems to have done is that he divested it to a large extent of its speculative character, and combined the minimum of it with the maximum of the practice of statecraft. This was the sort of abstract which he appears to have deduced from the works of polity extant in his time. In this connection we must, however, guard ourselves against a misconception that is otherwise likely to arise. Just because Kauṭalya says that his book is a compendium, we must not jump to the conclusion that it is nothing but a compendium. For, in many places where questions of policy or

[1] *Arthaśāstra*, p. 10.

administration are discussed and where the views of his predecessors are indicated, he has set forth his own with a clarity and precision which show that he was not a mere theorist or literary pedant but rather a statesman endowed with rare political insight and practical wisdom. In fact, any scholar who carefully reads his work cannot fail to perceive that Kauṭalya had a definite set of views on all the important points of policy and administration—views sufficiently numerous and characteristic to go to form a different school of polity. Again, it is quite possible that the selection of the subjects for inclusion into his work and the arrangement of its parts may have been entirely his own so as to stamp his individuality on his production, though we have no means of determining it as we have no other work on Artha-śāstra. This is probably another reason why the name of Kauṭalya has been associated with a *darśana* or system of polity. It is true that the word *darśana* occurs not only in the body of his book[1] but also in the Nītisāra of Kāmandaka (Circa 500 A.D.), and that in both these cases the word may simply mean 'the view, opinion'. It is, however, in V. 7 of the initial chapter that Kāmandaka uses the same term again, but here clearly in the sense of 'system'. It is here that he tells us that what he has set forth in his book is from the *darśana* or system of Kauṭalya. Through the sterling merit of his work, Kauṭalya has been raised to such a pitch of eminence that he is compared by the Tantrākhyāyikā to Manu, Vāchaspati (Bṛihaspati), Śukra (Uśanas) and Parāśara,

[1] *Ibid.*, p. 10.

who were the founders of the schools of Hindu polity. The Tantrākhyāika is the earliest version of the Pañchatantra and was composed between 300 and 500 A.D. It therefore seems that already in the early centuries A.D. Kauṭalya had come to be looked upon as the originator of a school like Manu, Bṛihaspati and so forth. This explains why the Kauṭalīya has exerted a great influence on the law and literature of India. Quotations from the Kautalīya have been traced or found interspersed in such works of divergent nature as the Buddhist Jātakas, the Baudhāyana and Vasisthha Dharmasūtras, the Manu, the Yājña-valkya-, and the Nārada-smṛiti, the Kāmasūtra, the Nyāyabhāshya, the Mahāvīracharita of Bhava-bhūti, the Daśakumāracharita of Daṇḍin, the Nīti-vākyāmṛita of Somadevasūri (950 A.D.) and the commentaries of Madhātithi, Hemachandra and Mallinātha. These citations we will have to consider when we discuss the date of Kauṭalya in the next Lecture. But this much will be here admitted that they leave absolutely no doubt as to the Kauṭalīya having become well known to all sorts and conditions of literates from 200 B.C. down to the fifteenth century A.D.

It must not, however, be thought that the Kauṭalīya completely superseded all other works on polity. We have seen that the Kāmasūtra alludes to the Arthaśāstra of Bṛihaspati. But it may be contended that the Kāmasūtra here refers merely to a tradition of this science having emanated from Bṛihaspati and that it does not prove that his work was then studied at all. Not far removed from it

in time was Bhāsa, and he, in the fifth Act of the *Pratimānāṭaka* makes Rāvaṇa actually say that he had studied the Arthaśāstra of Bṛihaspati along with other Śāstras which also are specified by him. This at any rate shows clearly that up till the fourth century A.D. when Bhāsa lived, Bṛihaspati's work on polity continued to be a subject of study. Then again there was some work of polity associated with Nārada (Piśuna),[1] which was known up to the time of Bāṇa and verses from which have been quoted even in so late a work as the *Rājanīti-ratnākara* as we shall see shortly. Similarly, we have seen above that Viśvarūpāchārya, a disciple of the great Śaṁkarāchārya, quotes a verse from Viśālāksha in his commentary on the *Yājñavalkya-smṛiti*. This points to the inference that about 800 A.D. when Viśvarūpāchārya flourished, the work of Viśālāksha was known and studied. Again, we know that Śaṁkarārya quotes one verse from Auśanasa in his commentary on Kāmandaka's Nītisāra.[2] From this it is clear that the work of the Auśanasa school had not been completely forgotten but was read about the end of the mediæval period with care and zest by the scholars who were interested in the science of polity. Similarly, we have an inscription found at Vanthali[3] in Kāthiāwār and dated VE. 1445 which describes Gadādhara, prime-minister of the Khamgāra king Mokala, and which says that he was proficient in the Bārhaspatya and Auśanasa works, was disciplined

[1] *Carmichael Lectures*, 1918, p. 90, n. 1.

[2] (T. S. S.), p. 112.

[3] *Rev. Lists Ant. Remains Bomb. Presidency*, p. 246.

by the ruby-like words of Chāṇakya, and was the goddess of wealth of the beautiful mansion, namely, Kāmandakī. Surely these school productions and these works must have been in existence up to these later times, but like the other Śāstras they must have teemed with endless and pedantic discussions. But the prolix details and intricacies which speculators are fond of indulging in are most unsuitable to a practical politician. Kauṭalya's treatise, bereft as it was of pedantic prolixity and containing as it did his considered opinions born of his long and varied experience and statesmanly wisdom, must have appealed most fervently to all classes of politicians for whom such works are principally intended. It is true that Daṇḍin refers to it somewhat jocosely in his *Daśakumāracharita* and that Bāṇa speaks of it rather revilingly in his *Kādambarī*. Nevertheless, their references to this treatise show unmistakably that the work had become extremely popular with princes and statesmen and was widely read by them.

Though Kauṭalya seems to have founded a school and thus prevented the study of polity from falling into complete desuetude, so far as the class of administrators was concerned, it cannot be denied that the science of politics was practically barren after Kauṭalya wrote. Even his work, though it was a compendium, was considered to be somewhat unwidely, and Kāmandaka (500 A.D.), we know, undertook the task of shortening it still further, by omitting matters relating to administration and law and reducing it to be a mere *Nītisāra* or Essence of

Policy. Kāmandaka also wrote for princes and statesmen, and his *Nītisāra* became so popular in the later period that quotations were freely made without acknowledgement by the authors of *Śukra-nītisāra,* and what is still more interesting, some chapters from the Agni-Purāṇa which purport to be a discourse on Nīti by king Rāma to his brother Lakshmaṇa consist of nothing but verses boldly excerpted and put together from the various chapters of Kāmandaka's work.[1] It must not however be supposed that Kāmandaka's *Nītisāra* superseded Kauṭalya's Arthaśāstra. For we have already seen that Somadeva's *Nītivākyāmṛita,* a work of the 10th century, contains passages which are citations from Kauṭalya's book, and that Mallinātha, who lived in the 14th century, while commenting on some verses from the *Raghuvamsa* and *Kumārasambhava,* also quotes from Kauṭalya's work. Further what is strange is that even the word *nīti,* which up till the time of Kāmandaka, was employed to denote 'state policy' came about the tenth century to signify 'general morals' 'rules of general conduct', of which Polity was a mere branch. To this period belong the works *Bārhaspatya-sutra Chānakaya-sutra* and *Śukra-nītisāra.* The first two of these have been composed in the *sutra,* and the third in the metrical style. None of these can be considered to be the work of the author to whom it has been attributed. The first two, no doubt, begin with matter which has an air of antiquity about it, but what immediately

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[1] U. Ghosal's *A History of Hindu Political Theories,* p. 223. n. p. 248, n.

follows is not concerned at all with public administration, civil law and warfare as the real works of Bṛihaspati and Chāṇakya (Kauṭalya) ought to be, but with the subject of general morals in connection with which public policy is treated, only incidentally and insufficiently. Even in the *Sukra-nītisāra,* polity forms not an independent branch of study, but is merged into the science of general conduct. But for the help and guidance of princes and statesmen arose about this time what may be called Digests of Political Science. One of the earliest is *Rājanīti-kalpataru* by Lakshmīdhara-bhaṭṭa, minister of war and peace of the Gāhaḍavāla king Govindachandra. Then we have another called *Rājanīti-kāmadhenu* by one Gopāla. The *Rājanīti-ratnākara* composed by Chaṇḍeśvara at the command of king Bhaveśa is perhaps the best known of this class of writings. It seems that when the word *nīti* came to stand for 'rules of general conduct', it became necessary to use the phrase *rājanīti* to distinguish them from the rules of kingly conduct. These digests of political science followed, on the whole, the principles of polity set forth by the Dharmā-śāstra, though they did not altogether ignore the help of the old Artha-(Nīti-) śāstra, as is clear from the fact that the *Rājanīti-ratnākara,* for instance, quotes verses from *Nārada-nīti,* Kāmandaka and so forth. There were also other digests on this subject, such as those by Vāchaspati, Mitramiśra and Nīlakaṇṭha. In fact, whichever work after Kauṭalya, dealing with polity, we may take, whether it is Brahmanical or Jaina, whether it is a digest or a treatise, this much is certain that

it is an adaptation or compilation and that whatever concepts and practices it presents for our consideration are borrowed from the earlier writers. It may set forth subjects of remarkable interest, but there is no freshness or originality about it. In fact, it remains incontrovertible that after Kauṭalya the science of polity not only made no progress at all but was fast on the decline. I have elsewhere shown[1] that through the missionary activity of Aśoka of the Mauryan dynasty, which changed the whole foreign policy of the Magadha empire and created an apathy for militarism and political greatness, the Greeks, who, although previously they were afraid of encountering the Magadha army, were now emboldened, and, in a way, encouraged, to carry their inroads into India and disintegrate and dismember the Mauryan empire. And once the Greeks penetrated India, they opened a passage into this country to the various wild hordes, such as the Śakas, Palhavas, Kushanas, Hūṇas, Gurjaras and so forth, whom we now find pouring in unceasing and large swarms and eclipsing the sovereignty of the indigenous royal families with such few exceptions as the Śungas and Guptas. It is true that these foreign tribes were all Hinduised soon after they were settled in this country, but the fact can scarcely be disputed that the political power of the country was practically monopolised by these Hinduised foreigners up till the advent of the Muhammadans. The old Hindu genius for originality and development of political thought thus remained dormant and died a natural death. And

[1] D. R. Bhandarkar's *Asoka*, p. 241 ff.

this seems to be the reason why the Hindu science of polity made no kind of progress after Kauṭalya.

When the power and glory of the old Kshatriya families was supplanted by the clans of these barbarian hordes, the only indigenous class in India who profited by this political upheaval was the Brāhmaṇs, who were chiefly instrumental in Hinduising the alien tribes by converting them to Brahmanism and above all furnishing them with an epic-old pedigree and thus conferring social status on them. The power of the Brāhmaṇs gradually increased in this manner till they became supreme. And there was hardly any part of the social fabric or any branch of literature to which they did not give a shape which was consonant with their power and importance. This led to the recasting of the Smṛitis, the Purāṇas and so forth. The old Arthaśāstra, which was of an eminently practical nature and coincided with the practice of the people, was fast being tapped, and all the important portions of it were incorporated into their metric Smṛitis and were given such a form as to advance their personal end. The principal object of the old Dharma-sūtras was to indicate the road leading to the acquisition of spiritual merit. They are, therefore, generally minute, as Būhler tells us,[1] on the majority of the topics connected with the moral duties of the Aryas, but their treatment of the legal procedure, the civil and the criminal law, with the exception of the law of inheritance and partition, is extremely unsatisfactory. But things changed when the metrical Smṛitis arose. There the

[1] *Sacred Books of the East*, Vol. XXV. (intro.), pp. liii-lv.

description of the duties of the king, including the administration of justice and the civil and criminal law occupies considerably more than one-third of the whole metrical Smṛitis, whereas none of the older law-books devotes one-fifth of its text to such matters. We have already seen that no Arthaśāstra can be complete without a treatment of Civil and Criminal Law, and that Kauṭalya's work has reserved two whole *prakaraṇas* or books for its consideration. Again, from what Kauṭalya says in one place it is evident that Arthaśāstra recognised four kinds of law, namely Canonical Law (*Dharma*), Usage (*Vyavahāra*). Instituted Observances (*Charitra* or *Saṁsthā*) and King's Law or Equity (*Rāja-śāsana* or *Nyāya*). When Canonical Law disagreed with Usage or Instituted Observances, the former was valid. But if any of these three conflicted with King's Law, the latter alone was to prevail. Such was the administration of justice laid down by the Arthaśāstra. But about the beginning of the Christian era when the indigenous royal houses were being more and more completely replaced by foreign dynasties and when the power of the Brāhmaṇs was daily waxing and asserting itself, the tables were turned; and the metrical Smṛitis, which were a potent weapon of supporting and advancing Brahmanism, took upon themselves, as we have seen, the way of showing how to administer law and even laid down the contrary dictum of giving unquestionable preference to Dharmaśāstra over Arthaśāstra, if in any particular case there was a divergence between the two.

LECTURE II.

DATE OF KAUTLIYA.[1]

With the advent of this century South India has become a land of wonder to the Sanskritist. Three or four years ago the students of Sanskrit literature were taken by surprise by the discovery of *Avanti-sundarī-kathā* by Daṇḍin which is believed to be the original form of the *Daśakumāra-charita* ascribed to him and which throws a flood of light on the various poets that propitiated the goddess of poetry before his time. Not many years ago, a valuable addition to our list of works on Indian poetics was made by the discovery of Bhāmaha's work on *alaṅkāra* in Trivandrum. The dramas of Bhāsa who preceded Kālidāsa had for a long time remained hidden from the modern world until they were discovered twelve years ago at the same place, namely, Trivandrum, by the lynx-eyed indefatigable scholar, the late Maha-mahopadhyaya Ganapati Sastri.[2] That a work dealing with the science of polity had been composed by Kauṭalya was known for years from the references and quotations cited from it by various authors, mediæval and modern. These fragments had been

[1] The Lecture, as it was originally delivered, has been printed in the *Annals Bhand. Inst.*, Vol. VII. Pts. I and II, p. 65 and ff. It appears here in a slightly modified form, necessitated by the invaluable criticism received from Prof. Jacobi.

[2] This is now doubted by some scholars; see e.g. *the Bhāsa Problem* by K. Rama Pisharoti in his *An. Rep. Archæol. Res., Cochin State*, for 1100 M.E., p. 73 and ff.

culled together by Aufrecht Zachariae, and Hillebrandt from lexicons, commentaries and other pieces of Sanskrit literature. But nobody ever dreamt that the whole work which was given up as lost would be recovered and made accessible to the student of Indian history. The whole scholarly world was therefore seized with an extreme and agreeable surprise when in the January number of the *Indian Antiquary*, 1905, Dr. R. Shamasastry not only announced the discovery of this work at Tanjore but actually published an English translation of some of its chapters. The whole book was afterwards edited and translated twice by the same scholar. And as the book is important, not only to the student of ancient polity but also of law and economics, it is no wonder if it has been edited by two more scholars—by Prof. J. Jolly in the Punjab Sanskrit Series and Mahamaho padhyaya Ganapati Sastri in the Trivandrum Sanskrit Series. The work is, indeed, so precious in the whole range of Sanskrit literature that it has revolutionised all our ideas about the culture and civilization of Ancient India. Unfortunately, however, there is a wide divergence of opinion in regard to its date and authorship. Some scholars are of opinion that it is the work of that Kauṭalya who enabled Chandragupta (320 B.C.) to establish the Mauryan empire. But there are others who hold that it is a production of the third century A.D. As the work, however, is the sheet-anchor of the history of ancient Indian culture, it is of paramount importance to discuss its date and authorship till a fair consensus of opinion is reached.

At the end of the first and the tenth chapters occur verses which ascribe the work to one Kauṭalya. Again, at the very close of the book we have a verse which tells us that the author of the work was one who wrested the earth from the Nanda kings. As from the Purāṇas we learn that Kauṭalya uprooted the Nandas and anointed Chandragupta as king of their dominions and as 'a rare unity of plan and structure pervades the whole work' pointing to the conclusion that it is the work of one man, it appears that the author of the Arthaśāstra was no other than the prime-minister of the founder of the Mauryan dynasty who flourished in the fourth century B.C. Dr. Shamasastry, who first edited the text, naturally held the opinion that the Arthaśāstra was a work of that early period. The various political practices, social customs and religious observances detailed in this book had well nigh disappeared certainly from the second century B.C. onwards, if not from a much earlier time. They therefore reflected a state of society prevalent possibly in the early Mauryan period but probably at a time before the birth of Buddha. All these practices and customs have been beautifully culled together by that erudite scholar who has also shown that both the Kāmasūtra of Vātsyāyana and the Smṛiti of Yājñavalkya are indebted to the Arthaśāstra not only for certain views and doctrines but also for phraseology. The late Dr. J. F. Fleet endorsed this view, unreservedly, about the date of this work in his introductory note prefixed to the translation of the work, by Dr. Shamasastry himself. "The work", says he, "accordingly claims to date from

the period B.C. 321-296; and its archaic style is well in agreement with the claim". "Though the existing text", adds Dr. Fleet, "is perhaps not absolutely word for word that which was written by Kauṭalya, still we have essentially a work that he did compose in the period stated above". Among the European Sanskritists Prof. Jacobi and Dr. F. W. Thomas are the only other scholars who have countenanced this view.

Soon after the Arthaśāstra of Kauṭalya was published, it came to be more assiduously studied in Europe than even in India; and a view of diametrically opposite character was being formulated, namely, that the work belonged not to the fourth century B.C. but to the third century A.D. This is now the view which is generally held by European Sanskritists, and the late Sir Ramkrishna Bhandarkar is perhaps the only Indian scholar who has expressed a similar opinion. The arguments on which this view is based were marshalled and enunciated by Prof. Jolly[1] and Prof. Winternitz[2] and were briefly indicated in a short but lucid note by Prof. Keith.[3] The chief argument of Prof. Jolly is that the Arthaśāstra bears a close alliance with the Kāmasūtra and that if the fourth century A.D. be taken as the possible date of the latter, the former might have been composed in the third century. Prof. Winternitz bases his position on a two-fold argument. The first is that

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[1] *Kauṭilīyam Arthaśāstram* (Punjab Sk. Series No. IV), Introduction.

[2] *Calcutta Review*, 1924 (April), p. 1 and ff.

[3] *Jour. R. As. Soc.* 1916, p. 130 and ff.

the contents of the Arthaśāstra justify the assumption that it is the work of a Pandit and not of a statesman. It could not have therefore been composed by Kauṭalya, as he is reported to be the prime-minister of Chandragupta and therefore to be a statesman. His second argument is something like this. The numerous discussions in which the opinions of different teachers or of different schools are quoted in this work as opposed to that of Kauṭalya indicated by the words: *iti Kauṭalyah* show that the Arthaśāstra was a compostion not of a single author but of a school. Jaimini is similarly mentioned in the Pūrva-Mīmāmsā-sūtra, Bādarāvaṇa in the Vedānta-sūtra and Baudhāyana in the Baudhāyana-Dharma-sūtra which represent so many schools, but Patañjali, he says, never states his opinion in the Mahābhāshya by saying: *iti Patanjalih.*

So long as these scholars confine themselves to the main argument of theirs, they are not open to any adverse criticism. Of course, it is possible to hold an opinion different from theirs, but it cannot possibly be said that there is anything objectionable in the manner in which they maintain their views. Unfortunately, however, they are not content with this and enter into a discursive argumentation which has the air, sometimes, of plausibility but, often, of absurdity. Thus they even go to the length of proving that there was no such historic figure as Kauṭalya at all! It is perfectly true that Indian tradition as preserved in the Purāṇas and the Buddhist and Jaina literature is unanimous in making of the wily Brāhman Chāṇakya Kauṭalya, a king-maker,

the destroyer of the Nandas, and the supporter of Chandragupta. But, says Prof. Jolly, "It might indeed be questioned whether the prime-minister of Sandrakottos is not a figure of pure mythology, as he is not mentioned in the Greek reports concerning Sandrakottos"[1]. Prof. Winternitz practically adduces the same arguments. The Purāṇas, says he, no doubt unanimously report that Kauṭalya destroyed the Nandas and anointed Chandragupta king. But they never speak of his having been a teacher or an author. Patañjali in his Mahābhāshya refers to the Mauryas and *Chandragupta-sabhā*, but makes no mention of his famous minister. But the Professor is not satisfied with this position, and goes one step further and asserts that the very name Kauṭilya raises grave doubts as to his being an author or a minister. Kauṭilya means 'crookedness', 'falsehood'; is it likely that Chandragupta's minister should have called himself 'Mr' Crooked' or 'Crookedness personified' ?[2] Surely scepticism cannot go further. It is true that Prof. Winternitz cannot be blamed much when he takes Kauṭilya to mean 'Mr. Crooked'. For does not Viśākhadatta in his *Mudrārākshasa* speak of him as *Kauṭilyah kuṭila-matih sa esha yena* ? But the Professor should have thought over what Śamkarārya has said about it in his commentary on Kāmandaka's *Nītisāra*. "Vishṇugupta", says the commentator, "is the name given at the naming ceremony and Chāṇakya and Kauṭilya are connected with the birth-palce and the *gotra* respectively". It will thus

[1] *Kaut. Arth.* (Pun. Sk. Series), Vol. I, Intro., pp. 33-4.
[2] *Cal. Rev.*, 1924 (Apl.), p. 18.

be seen that Kauṭilya was not his personal name but a name derived from his *gotra*. This view of Sankarārya receives support from the fact, pointed out by the late Mahāmahopādhyāya Gaṇapati Śāstrī, that Kuṭala, not Kuṭila, is mentioned by Keśavasvāmin in his *Nānārthārṇava-saṃkshepa* as denoting a *gotra-ṛishi*, that is, the sage who is the originator of a *gotra*. "The word Kauṭilya (*ikāramadhya*) is a mistake", adds the Mahāmahopādhyāya, "handed down to us by scribes and readers. All the ancient manuscripts of the text and the commentaries of the Arthaśāstra, available here, read throughout as Kautalya (*akāramadhya*), and not as Kauṭilya. Kuṭala is the name of a Rishi who founded the Kauṭala Gotra and any descendant of that Gotra may be called Kauṭalya".[1] It is thus quite clear that the real name of the reputed author of the Arthaśāstra is Kauṭalya, and not Kauṭilya in the sense of "Mr. Crooked", and the sooner we discard the latter and adopt the former name, the better for the promotion of truth and history.

Then, again, we are told that Patañjali speaks of the Mauryas and even of the *Chandragupta-sabhā*, but makes no mention of Kauṭalya. If the latter was really the prime-minister of Chandragupta and was chiefly instrumental in securing for him the Nanda throne, it is inconceivable how he is passed over although the *Chandragupta-sabhā* is referred to. This is what the argument comes to. But the question is: what is meant by *Chandragupta-sabhā*? Does it signify 'the council of Chandragupta's ministers'

[1] *Kaut. Artha* (Triv. Sk. Series), Pt. II, p. 4.

or 'Chandragupta's conclave of literates'. It is very difficult to say which sense is here intended. But as Patañjali is a Grammarian, the probability is that he is referring to the latter, that is, the assembly of learned men. Similarly, there is no force in the argument urged by Prof. Jolly that because Megasthenes does not mention Kauṭalya at all, the latter could not have been a historical personage. This is an *ex silentio* argument, which can never be thoroughly satisfactory. It is true that Megasthenes does not speak of Kauṭalya. But it is also true that he does not speak of the Nandas. Are we therefore to suppose that the Nandas are a fiction of history although they are referred to in all the early Purāṇas as having been uprooted by Kauṭalya for putting Chandragupta on the throne? What then becomes of Nandrus who is supposed by the Greek writers as a contemporary of Alexander and has been identified with Nanda even by the latest authority on ancient Indian history, namely, the Cambridge History of India?[1]

The truth of the matter is that *argumentum ex silentio* can never be regarded as of a perfectly reliable nature. And yet it is this argument that has unfortunately been indulged in by Prof. Winternitz a little too frequently. "Thus Megasthenes speaks of mile stones on the roads, which are unknown to Kauṭilya. According to Megasthenes water for irrigation is carefully distributed to private people, while Kauṭilya knows nothing of such a distribution of water, but mentions private water works. According to Megasthenes no private person was allowed to

[1] Pt. I, Pp. 430 and 469.

possess elephants or horses, but they were the monopoly of the king. Kauṭilya knows nothing of such a monopoly".[1] These are some of the statements which the Professor has made to show that Kauṭalya and Megasthenes are not in agreement and cannot therefore be contemporaries. What they amount to is just this: because Megasthenes makes mention of a thing about which Kauṭalaya is silent, it must necessarily follow that the thing did not exist when the latter lived and that the two cannot therefore be contemporaries. In the same way we may argue like this: The *Rājataranginī* speaks of both Vākpati and Bhavabhūti as being contemporaries and proteges of Yaśovarman, king of Kanauj. Of these Vākpati alone refers to his patron in his *Gauḍa-vaho* which describes his exploits. But Bhavabhūti, although he has composed no less than three dramas, speaks nowhere of Yaśovarman,—which is inconceivable if he is his patron, but, on the contrary, says that all his dramas were acted before the god Kālapriya of Ujjain which is quite different from Kanauj. Are we therefore justified in inferring from this silence on the part of Bhavabhūti that he did not live in the court of Yaśovarman and that both the poets did not live in the same period and also together?

It has also been argued by Prof. Winternitz that there is not only no agreement but positive discrepancy between the accounts of Megasthenes and Kauṭalya. The former emphatically states that there is no slavery in India, but both the Arthaśāstra

[1] *Cal. Rev.*, 1924 (Apl.), pp. 19-22.

and the Dharmaśāstra know different classes of slaves, male and female. But the greatest difference between them is found in their respective accounts of the administration. The organisation of the financial bureaucracy, the local or municipal administration and the military organisation as described by Megasthenes is so essentially different from that set forth in the Arthaśāstra that the author of the latter cannot possibly be a contemporary of the former. Why such an excessive and implicit credence is attached to the statements of Megasthenes is far from clear. In the first place, it is worthy of note that what we know of his account is not from his original writings come down to us, but from fragments quoted from them by other authors. And even supposing for the moment thay these fragments agree in certain substantial items, it does not necessarily follow that they were critically observed and correctly recorded by Megasthenes. We need not go to the extent of accusing him of mendacity, as his own countryman, Strabo, has done. But it cannot at all be denied that his reports are not very often accurate and reliable. This has been admitted frankly and unreservedly by Prof. Jolly. And even what Prof. Winternitz has said goes to confirm it. For Megasthenes tells us that there was no slavery in India, and even if we set aside the Arthaśāstra for the present, this statement is completely belied by what we find in the Dharmaśāstra as has been remarked by Prof. Winternitz himself. Prof. Jolly, however, goes one step farther, and frankly tells us that "the idealising tendency in Megasthenes

greatly impairs the trustworthiness of his statements".[1] But what is most inexplicable in this connection is that while citing instances of this idealising tendency, Prof. Jolly pits the evidence of the Arthaśāstra against the statements of the Greek writer, though the former in his opinion is much later in date. Two instances ought to suffice. Thus Megasthenes says that the Indians never took wine except at sacrifices. Prof. Jolly measures the truth of this statement with the contents of the Surādhyaksha Chapter of the Arthaśāstra, which contains recipes for the preparation of alcoholic drinks. Again, Meghasthenes says that the houses and property of the Indians are generally left unguarded and that theft is of very rare occurrence. This the Professor tries to refute by drawing our attention to the chapter on robbery in the Arthaśāstra, which specifies various types of this crime and also the punishments that are to be inflicted. If this work is much posterior in date to Megasthenes, as Prof. Jolly contends, where is the necessity of bringing in its contents to disprove the statements of the Greek ambasador ? Impartially speaking, the Hindus of the fourth century B.C. should be given credit for the virtues of abstemiousness and honesty for which Megasthenes has praised them, and it may be further inferred that the Indians lost these virtues in the third century A.D. when the Arthaśāstra was put up according to the Professor. But why call in question the veracity of the observations of the Greek writer by setting against them the evidence of such a late work as the Arthaśāstra ? But we

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[1] *Kauṭ. Artha.*, Intro., p. 40.

shall pass it over, as this presents not an antiquarian problem, but a psychological puzzle. We cannot, however, sufficiently thank Prof. Jolly for giving his frank opinion of the worth of Megasthenes' account. "Megasthenes" says he "was unacquainted with the languages and literature of India and his work, though earlier in date, is far inferior in intrinsic value to the Itineraries of the Chinese Pilgrims and to the great Arabian work of Alveruni on India".[1] It is therefore not only idle but uncritical to assign Kauṭalya to a later date simply because the contents of his work do not tally and are sometines even discrepant with those of Megasthenes' account. Again, it deserves to be further noticed that the Arthaśāstra portrays a state of society, not so much of the Mauryan, as of an earlier, period. For at the very beginning of the Arthaśāstra Kauṭalya tells us that his book is but a compendium of the previous works on polity. And it is only in Chapter X of the Second Adhikaraṇa which deals with the drawing up of royal writs that he seems to have brought its subject-matter up-to-date and made it conform to the actual practice of the day as we learn from the concluding verse. This is exactly in keeping with the fact that some of the manners and customs depicted in this work are of the pre-Mauryan period as has been pointed out by Dr. Shamasastry and as also we shall see later on.

We have thus disposed of most of the arguments advanced by Professors Jolly and Winternitz to prove that the Arthaśāstra is much posterior to the time of Chandragupta, originator of the Mauryan dynasty,

[1] *Ibid.*, p. 41.

and that it could not have been the work of his prime-minister, Kauṭalya, supposing there was a historic personage of that name. We shall now consider the main arguments of each. We will begin with those of Professor Winternitz who adduces two such arguments. The first of these is that the Arthaśāstra is a work, not of a statesman, but of a Pandit, and could not therefore have been composed by the prime-minister of Chandragupta. But is the life of a statesman incompatible with that of a Pandit? Whatever may be the case outside India, there is nothing irreconcilable between the work and function of a statesman and that of a Pandit, so far as this country is concerned. Here also two instances ought to suffice. The first is that of Hemādri who flourished during the reigns of the Yādava kings, Mahādeva and Rāmachandra (A.D. 1360-1309), and was minister to both. In almost all the copper plate inscriptions of these princes he is spoken of as their *Srīkaran-ādhipa* or Chief Secretary who was in charge of the state archives and issued all orders on behalf of the sovereign. Although he thus led a strenuous political life as minister of the Yādava dynasty, he was a man of learning himself and wrote many voluminous works chiefly on Dharmaśāstra. The second instance is that of the two brothers Mādhava and Sāyaṇṇa who were similarly ministers of Sangama and Harihara I. of the Vijaynagar dynasty in the 14th century A.D. Although politics had engrossed the greater portion of their time and energy, they, being votaries of learning, did not find it impossible to compose a number of works connected with the Vedas and Indian

Philosophy. It will thus be seen that in India at least there was no divorce between the politics of a statesman and the learning of a Pandit. And it is quite conceivable that the two functions were combined also in Kauṭalya, who, though he was the head of the Mauryan administration, might have very well composed a work which was somehow related to politics though on its theoretical side.

But then Prof. Winternitz holds that the Artha-śāstra evinces the same predilection for endless and pedantic classification and definition as in other scientific works composed by Pandits. How far is this a fact? Does Kauṭalya give himself up to this vice to such an extent as to conflict with the mentality of a statesman? Personally I am of opinion that no book on practical politics written even by a Bismarck can be entirely free from theoretical discussions. Fortunately for us Prof. Winternitz gives us four or five instances to show what he means. Recently, however, Dr. Narendra Nath Law had occasion to examine these; and he has done it with such fullness and lucidity that it is not necessary to take them all into consideration.[1] Only one of these arguments may be here mentioned. The sovereign, the minister, the territory with its subjects and so forth, says Prof. Winternitz, form the seven *Prakṛitis* or constituents of a kingdom (or state), and we have a long list of the good qualities which each of them should have. This is the first instance he has adduced

[1] *Cal Rev.*, 1924, (Sept.) p. 512 & (Nov.), p. 228 & ff (Dec.), p. 466 & ff. *Studies in Indian History and Culture*, by Narendra Nath Law, p. 209 ff.

to expose Kauṭalya's passion for pedantry. What he means is that a statement of the qualities that make any constituent of the State an ideal one has no meaning and can serve no useful purpose to a practical politician. But he forgets that this list of excellences is a *sine qua non* in the treatment of *maṇḍala*, whose main object is to gauge the strength of one state against the neighbouring ones as every ruler is expected to do. This strength can be measured only by scrutinising how far the qualities of each constituent come up to or fall short of the standard such as that set up by Kauṭalya in that specification of excellences. It is not therefore proper to assert that this specification is but an outcome of his vice of pedantry such as would be worthy of a Pandit but not of a statesman. And, in fact, any one who carefully reads the Arthaśāstra cannot fail to be impressed by the fact that the work combines the minimum of speculation with the maximum of practical wisdom.

The second main argument relied upon by Prof. Winternitz is just this : the Arthaśāstra contains many discussions where the opinions of the different teachers of polity are enumerated one after another and refuted by that of Kauṭalya, ending with the words: *iti Kauṭalyah.* He further remarks that we generally find this mention of the name of a teacher in texts emanating from schools. What he probably means is that from this use of Kauṭalya's name in the third person it appears that the *sutras* of the Arthaśāstra were composed, not by Kauṭalya but his successors in the school. Prof. Jolly holds almost the same view as that of Prof. Winternitz, when he says that

"the numerous references to opinions of Kautilya in the body of the work are in the Tantrayukti Chapter (XV, 1) explained as coming under the head of Apadeśa or statement of the views of others, so that apparently they would not represent the author's own views".[1] But both these scholars forget that the use of one's own name in the third person is more modest and appropriate and is common to both the Sanskrit and vernacular literatures[2] of India. This is the reason why Medhâtithi in his gloss on *Manu-smṛiti*, I. 4, says: *prāyaṇa granthakārāh svamatam par-āpadeśena bruvate.* Viśvarūpāchārya, who flourished earlier, says precisely the same thing in his comment on *Yājna-valkya-smṛiti*, I. 2. which runs thus: *Bhagavat aiva parokshīkṛity ātmā nitdi yate, svaprasamsā-nishedhāt. Yadi hi 'mām yogīsvaram' 'aham yogīsvara'-itibruyāt, tad ātma-stutir āpadyeta.* In later times also Nānak, Tulsīdās, Kabīr-Tukārām and others invariably refer to themselves, not in the first but in the third person. But we need not dilate on this matter, as Prof. Winternitz admits that "it is, of course, possible that an author may state his opinion in this way".

We shall now consider the chief argument on which Prof. Jolly has taken his stand. So far as the external structure is concerned, the Arthaśāstra has a remarkably close correspondence with the Kāma-sūtra. Thus the chapters of each end with the verses of the author, and in the case of quotations they are invariably indicated by a prefactory remark to that effect. Each, again, commences with a detailed table

[1] *Kaut. Arth.* (Pun. Sk. Series), Vol. I. Intro. p. 44.
[2] *Annals Bhand. Inst.*, Vol. VII. Pts. I-II. p. 88.

of contents. It can thus scarcely be doubted that both exhibit the same style of composition and could not have been separated from each other by any long interval. And if the Kāmasūtra has been assigned to the fourth century A.D., the Arthaśāstra cannot be placed more than one or two centuries earlier. This line of reasoning is practically the same as that advanced by Sir Ramkrishna Bhandarkar, who, however, infers therefrom that the Arthaśāstra is a work of the first or the second century A.D.[1] This is, indeed, the strongest argument that has been urged against taking Arthaśāstra as a production of Kauṭalya and consequently of the 4th century B.C. So far as the style and structure of composition are concerned, they say that there can absolutely be no doubt as to one of these being a replica of the other. And when we bear in mind the fact that they have in common many phrases and sentences relating to polity proper and that in one case the Kāmasūtra clearly says that it was quoting from the authors of polity certain passages which are found word for word in the Arthaśāstra, no question can arise as to the latter being anterior to the former work. But, for the reasons just stated, the Arthaśāstra, as it is at present cannot be much anterior to the Kāmasūtra and cannot reasonably be taken to be earlier than the fourth century A.D. and possibly of the third. This conclusion seems almost irresistible. At the same time it is very difficult to avoid the conclusion that many of the customs and practices referred to in the Arthaśāstra carry us to a period of at least the fourth century

[1] *Proc. Fir. Or Conf.* (1919), Vol. I. p. 24 & 66.

B.C., if not earlier. Such was the practice of keeping state-owned drinking saloons to supply liquor to men, women, and children of all castes, above all, of the drinking of liquor even by Brāhmaṇs. Similarly, the Arthaśāstra alows the killing of a Brāhmaṇ for political offences, though through drowning, but such a thing is unthinkable from the first century A.D. onwards. Again, we read in this work of the exaction of religious taxes and also robbing the temples of their money by imposing upon the credulity and superstition of the people. So also we read there of the allowing of divorce between husband and wife through enmity, and of remarriage of women whose husbands had died or had long been absent abroad. Similarly, religious life depicted in the Arthaśāstra was essentially different from that prevalent from the beginnig of the Christian era onwards. The worship of Vaiśravaṇa and Mahākachchha and the practice of Atharvaṇic witchchraft and sorcery which are mentioned in this work seem to have entirely gone into desuetude in this last period.[1] We are thus confronted with a puzzle. So far as the style and external form are concerned, the Arthaśāstra seems to belong to an early century of the Christian era; but, so far as its contents go, they reflect a phase of society which cannot be later than the fourth century B.C.

Now, those, who, on the grounds of style, assign this later date to the Kauṭalīya, do not seem to have properly grasped the full characteristics of its style. In fact, this work presents a curious blending of

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[1] *Kauṭilya's Arthaśāstra* (trans.) by Shamasastry, Preface. pp. xviii-xix.

features which are noticeable in the composition of the different classes of writings. Thus if we for the moment exclude the opening and closing chapters of the Kauṭalīya, the whole of the remainder will be found written in a style which is a combination of prose and verse, *sūtra* and *kārikā*,—exactly in the style peculiar to the Dharmasūtras. We know that in the body of these sūtras verses generally occur at the conclusion of a chapter, but are sometimes interspersed with the prose portion also and that in the case of the verses those which have been borrowed are indicated with words which show that they are quotations. Precisely these characteristics are shared and exhibited by the Kauṭalīya also. That almost every chapter of this work ends with verses and that there is sometimes an admixture of prose and verse in the portion preceding goes without sayiny. Again, on pages 367-8 are found two stanzas with the prefatory remark: *ap=iha slokau bhavataḥ*. This remark unmistakably shows that these stanzas, at any rate, were not of his composition. And, as a matter of fact, we know that the first of these is met with in the *Parāsara-dharmasamhitā* and the second in the *Pratijña-Yāugandharāyaṇa* drama nf Bhāsa.[1] This trait of composition is noticeable also in the Kāmasūtra, where, though there are many verses without any such preface, there are a few which are preceded with the remark *bhavati ch=ātra slokāḥ*. This trick of style is obviously intended to show that the verses to which this remark is prefixed are not original, but borrowed from other sources. Where

[1] *Carmichael Lectures*, 1918, p. 100.

therefore this is not noticeable, the natural conclusion is that the verses form the author's own composition. We can therefore safely assert that all the verses occurring in the Arthaśāstra belong to Kauṭalya, unless the contrary is indicated. This conclusion is further confirmed by the fact that we have at least two instances of verses prefaced by some words in the prose, which, each by itself, are unmeaning but which together make the sense clear and complete. This practice of combining a verse with prose to express one idea is often met with in dramas which are each the work of one individual author. This also indicates that the veses in question pertain to Kauṭalya.

It will thus be seen that so far as the style of the Arthaśāstra is concerned, it bears the closest correspondence to that of the Dharmasūtras. It is true that the Kāmasūtra also shares along with the Kauṭalīya all these features which constitute the style of the Dharmasūtras. But it would by no means be a logical procedure to drag down the latter to the age of the former simply on this ground. What is really noteworthy in this connection is that if we set aside for the moment the first and last chapters of the book, the full significance of which we will perceive later on, the whole of the remainder, which forms really the subject matter of the Arthaśāstra and embodies the views of Kauṭalya, is found set forth in the style of the Dharmasūtra and must therefore be assigned to a period ranging between the seventh and the second century B.C. Nothing, therefore, precludes us from concluding that the work must have

been composed by Kauṭalya, prime-minister of the Mauryan emperor Chandragupta. And the only question that now arises is whether it is possible to trace quotations from the Kauṭalīya quite upto that early period. We have already adverted to the great influence exerted by the Kauṭalīya on the law and literature of Ancient India. Let us begin from the mediæval period and see to what early age these quotations are traceable. Bhavabhūti who flourished about the beginning of the eighth century puts the following into the mouth of Mālyavat in the fourth act of his drama, the Mahāvīra-charita: *yath=oktam—laghv=api vayasana-padam=abhiyuktasya kṛichchhra-sādhyaṁ bhavati.* The published text of the Kauṭalīya[1] has the following: *laghv=api vyasnam=abhiyuktasya kṛichchhraṁ bhavati.* There can possibly be no doubt as to Bhavabhūti having quoted from the Kauṭalīya. Perhaps half a century prior to Bhavabhūti lived Daṇḍin, who in his *Daśakumāracharita* refers not only to the work on Daṇḍanīti composed by Kauṭalya but also quotes a verse from it.[2] A work earlier than the time of Daṇḍin is the *Nārada-smṛti*, which has been taken to belong to the fourth or fifth century A.D.[3] Prof. Jolly was the first to note that two verses almost at the beginning of his work are found among the ending verses of Book III, Chap. I of the Arthaśāstra. They are as follows :—

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[1] VII. 5. (p. 275).

[2] *Daśakumāracharita* (Nirnaysagar Ed.), p. 261; *Arthaśāstra*, p. 249.

[3] *Sacred Books of the East*, Vol. XXXIII, Intro., p. xvi.

Dharmaś = cha vyavahāras = cha
charitraṁ rāja-śāsanam |
vivādārthaś = chatushpādaḥ
paśchimaḥ pūrva-bādhakaḥ ‖
Tatra satyam sthito dharmo
vyavahāras = tu sākshishu |
charitraṁ samgrahe puṁsāṁ
rājñām ājñā tu śāsanam ‖

Arthaśāstra, BK. III,
Chap. I.

Dharmaś = cha vyavahāraś = cha
charitraṁ rāja-śāsanam |
chatushpād = vyavahāro = yaṁ
uttamaḥ pūrva-bādhakaḥ ‖
Tatra satām sthito dharmo
vyavahāras = tu sākshishu |
charitraṁ pusta-karaṇe
rājājñāyāṁ tu śāsanam ‖

Nārada-Smṛti, I, 1-10-II.

To about the same period belongs Vātsyāyana, the author of the Bhāshya commentary on the *Nyāya-sūtra* of Gautama. While extolling the merits of his science Nyāya-śāstra, also called Ānvīkshikī, he quotes one verse from the Ārthaśāstra. It is as follows :—

Pradīpaḥ sarva-vidyānām
= upāyaḥ sarva-karmaṇām |
āśrayaḥ sarva-dharmāṇāṁ
Viddyoddeśe prakīrtitā ‖

Nyāya-bhāshya

pradīpaḥ sarva-vidyānām
= upāyaḥ sarva-karmaṇām |
āśrayaḥ sarva-dharmāṇāṁ
śaśvad-Ānvīshakī matā ‖

Arthaśāstra, BK. I, Chap. II.

The last line of this verse, which entirely varies and which refers to *Vidy-oddeśa*, the name of Chapter II of Book I of the Arthaśāstra, clearly shows that it is Vātsyāyana who is quoting.

Slightly anterior to the *Nyāya-bhāshya* comes the *Yājñavalkya-smṛiti*, the compilation of which is generally referred to 350 A.D. If any one carefully compares the parallel passages between this Smṛiti and the Kauṭalīya culled together by Dr. Shamasastry and Prof. Jolly, it gives the impression that one has borrowed from the other. And the former has adduced cogent reasons pointing to "the indebtedness of Yājñavalkya to Kauṭalīya". Besides, any scholar who has studied law knows

that this Smṛiti represents a stage of juristic science which is far, far more developed and advadced than the Kauṭalīya. The natural inference therefore ought to be that the *Yājñavalkya-smṛiti* is the borrower.

Then I have elsewhere pointed out[1] that there is one verse occurring on p. 219 of the Arthaśāstra which is found not only in Manu (XI. 180) but also in the Baudhāyana (II. i. 35) and the Vāśishṭha (I. 22) Dharmasūtra, which pertain to the third or second century B.C.[2] The verse is as follows :—

Arthaśāstra.	Baudh. & Vās.
Saṁvatsareṇa patati patitena samācaran | Yājan—ādhyāpanād=yaunat taiś=c=ānyo=pi asmācaran ‖	Saṁvatsareṇa patati patitena sah=ācaran | yājan-adhyāpanād=yaunāt na tu yān-āsanād=iti ‖

Now, it seems tempting to urgue that as this verse is concerned more with Dharma than with Artha, Kauṭalya must be the borrower. But it is worthy of note that the Vāśisṭha-dharmasūtra quote this verse with the prefatory note *ath=āpy=udaharanti*. It is thus evidently a quotation. Then, again, whenever this Dharmasūtra cites a verse from a work connected with Dharma-śāstra, it is careful enough to specify its name. Thus such verses in the Vāśishṭha are prefaced with *ath=āpi Bhāllavino Nidāne gāthām=udāharanti*, or *Hārito=py=udāharati*, or *Mānavam ch=ātra ślokam=udāharanti*, and so forth. It is thus clear that the verse in question cannot be a quotation from a reputed work of Dharma-śāstra. And when, on the other hand, we bear in mind the fact that even Dharma Law was originally part and

[1] *Carmichael Lectures*, 1918, p. 103, n. 2.

[2] *Camb. Hist. Ind.*, Vol. I. p. 249.

parcel of the Arthaśāstra, as is evident from the Book entitled Dharmasthīya, comprised in it, the conclusion seems almost inevitable that the verse is really borrowed, not by, but from, the Arthaśāstra.

But Vāśishṭha is not the only Dharmasūtra which quotes from the Kauṭalīya. Prof. Jolly has already pointed out that the Sūtra : *aurase t-ūtpanne savarṇās=tritīy=āṁsaharāḥ* is common both to the Baudhāyana-dharmasūtra (II. 3. 11) and the Arthaśāstra (III. 7; p. 164).

Nay, there is one verse in the Arthaśāstra which has been traced in an earlier work still. There is one Chapter in the *Kauṭalīya* which is entitled: "Consideration of Profit and Loss in Men and Wealth". This Chapter closes with two verses, the first of which scoffs at placing too much faith in the stars. And it deserves to be noticed that practically the same verse is met with in a Pāli Buddhist Jātaka.[1] We will place both the verses side by side for comparison :

Nakhsatram=atipṛichchhantaṁ bālam=artho=tivartate | artho hy=arthasya nakhshatraṁ kiṁ karishyanti tārakāḥ ‖	Nakkhattaṁ patimānentam attho bālam=upachchagā | attho atthassa nakkhattaṁ kiṁ karissanti tārakā ‖
Arthaśāstra, p. 351.	Jāt. I. 258.

There can hardly be any doubt as to one of these verses being a copy of the other. And the question arises: who borrowed from whom? If we carefully read the Jātaka, we find that the *gāthā* in question is by no means a necessity for the development of the story, which is quite complete and clear without

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[1] This was first pointed out by Mr. Narayan Chandra Banerji in *Proc. and Transac. Sec. Ori. Conf.* (1922), p. 477.

it. On the other hand, the verse has its propriety only in the chapter of the Arthaśāstra just referred to, and explains what immediately precedes it, that is, explains why 'faith in the auspiciousness of lunar days and stars' is 'an obstruction to profit'. Now, the Pāli scholars tell us that the canonical book of the Jātakas contains only the verses, and was composed before the time of Aśoka[1]. Here then we have a verse cited from the Arthaśāstra in a canonical book of the Buddhists, which is believed to be prior to the time of Aśoka[1].

What is the upshot of this discussion? Dr. Shamasastry and others have already shown that the social life depicted in the Kauṭalīya cannot possibly be later than the 3rd century B.C. So far as the style of this work is concerned, we see that it imitates that of the Dharmasūtras which have been assigned to 400-200 B.C., and this is confirmed by the fact that texts from the Kauṭalīya have been quoted by Sanskrit and Pāli works which go right up to the time of Aśoka. We have already seen that these features of the Dharmasūtra style have been shared by the Kāmasūtra as well. There are at least two more characteristics of the style, which are exhibited in common by the Kauṭalīya and Kāmasūtra. Thus in both in regard to any controverted point we find the views of the previous teachers marshalled out one after another and wound up and refuted by that of the author which is specified at the end. But this is a trait of style which is found also in the two sets of the celebrated Mīmāṃsā-sūtras. The other

[1] Rhys David's *Buddhist India*, p. 206.

characteristic exhibited by both is the detailed table of contents with which they open. It is this last point of resemblance which has been overrated and seized upon by some scholars for dragging down the whole of the Kauṭalīya almost to the time of the Kāmasūtra. But it is forgotten that the Kauṭalīya evinces a fourth trait of style, which, however, is conspicuous by its absence in the Kāmasūtra and which consists in setting forth in the last chapter a list of devices interspersed with many cross references in the body of the work. This feature of style it shares in common with Suśruta and Charaka, metrical works on the sciences of medicine and surgery, which have been attributed to the early centuries of the Christian era. These are technically called *Tantrayuktis* which are thirty in number as in the case of the Suśruta, and are precisely the same except one[1]. There can, therefore, be no doubt that so far as the opening and the concluding chapters are concerned, the Kauṭalīya has undergone some modification or rather amplification. And it may be asked: where was the necessity of these *addenda* to the original composition of the Kauṭalīya ? This is the question that must arise in this connection. What appears probable is that when the popularity of the Arthaśāstra increased, a sort of school came to be formed and associated with Kauṭalya's name, to represent his views, which just because they were instinct with practical knowledge and political wisdom and had a unique character of their own, were fittest to be the centre of a school of polity.

[1] My attention to it was drawn by Dr. B. M. Barua.

We have already seen that the Kauṭalīya had come to be looked upon as a *darśana* by Kāmandaka (500 A.D.). Shortly before his time this school must have sprung into existence, and a necessity must have then been felt of imparting a finishing touch to the Arthaśāstra of Kauṭalya. It must, therefore, have been felt necessary not only to open the work with a carefully drawn-up table of contents, but also conclude it with a chapter of *Tantrayuktis*. When this process of embellishment was taking place, it is quite possible that a few strange or late things may have found their way into the treatise of the new budding school of polity, such for instance, as perhaps the two stanzas referred to above[1] and the references to Chīna, Hārahūra and so forth[2]. But the *addenda* referred to above are, be it noted, found only at the beginning and the conclusion of the book. The interpolations, again, if they are really so, are very few and very far between, so that the original text of the Kauṭalīya which is the present book minus its first and last chapters and which is in the old Dharmasūtra style seems to have remained practically intact.

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[1] Above, p. 54; I use the word 'perhaps' because it is quite possible to contend that they were *subhāshitas*, floating about in popular talk even from before the time of Kauṭalya, so that they could be borrowed both by him and Bhāsa.

[2] *Jour.* R. *As. Soc.*, 1916, p. 136. It is, however, quite possible to identity China, not with China, but with the Shin tribe of Gilget, which still has the mulberry tree and produces silk (George Grierson's *Ling. Surv. Ind.*, Vol. X. Pt. 4, p. 5, n), as was pointed out by K.P. Jayaswal in his *Hindu Polity* Pt. I, p. 212, n. 1.

LECTURE III

HINDU CONCEPTION OF THE STATE.

If India, as is commonly believed, never developed a feeling of nationality and has no place in the political history of the world, if from the beginning of India's history the religious institutions controlled the character and development of its people and made no provision for the interest of the State and the development of the race, how is it possible, it may be asked, for us to talk at all of the Hindu conception of the State? But this belief, we have now seen, has no grounds to stand upon. The recovery of Kauṭalya's Arthaśāstra has inaugurated an entirely new epoch in the study of Ancient India, and we have now to view this question from a different angle of vision in the light of the materials furnished by it. Even before this epoch-making work was brought to light, we had before us the treatise of Kāmandaka called Nītisāra which quoted the traditional view of the old authors of the Hindu Polity in regard to their idea of the State. And if we had not been obsessed with the notion that the Hindus never developed any science of politics or even any political sense, we should have long ago seen and considered that view. It is obviously the view relating to the seven constituents of a State with which we are pretty familiar. They are Svāmin or the Sovereign, Amātya or the officials, Janapada (Rāshṭra) or the Territory, Durga or the Forts, Kośa or the Treasury, Daṇḍa

(Bala) or the Army, and Mitra or the Allies. These are technically called the *prakṛitis* of a *rājya*. Now what do these terms signify ? Let us see in the first place what Prakṛiti means here. As each one of these seven constituents is called a Prakṛiti and as the term ordinarily means 'nature, constitution, primary substance', these Prakṛitis must be taken in the sense of the 'the natural constituents' of a Rājya. But what does *rājya* mean ? Does it signify 'a kingdom', 'a government' or 'a State' ? It cannot have the first sense here. Because 'kingdom' as contrasted from 'State' means the 'dominion of a king'. But one of the constituents of *rājya* is *svāmin* who generally is the king himself. If the king is the lord and master of a dominion and is thus an entity separate from it, how can this dominion be described at all as comprising that king as one of its elements ? Besides, 'dominion' means 'territory', and territory is already implied by the term *janapada* (*rāshṭra*), which is a component of *rājya*. Nor can *rājya* here be taken in the sense of 'government'. For government has been defined by modern day theorists as the "sum total of those organisations that exercise or may exercise the sovereign powers of the State"[1]. An organisation that can exercise such powers must be either individuals or groups of individuals. Two elements of the *rājya*, on the other hand, are *durga* and *kośa*, none of which consists of individuals or bodies of individuals, as both are purely material factors of the *rājya*. The word *rājya* must therefore be understood to mean, not a

[1] Dealey, *The Development of the State*, p. 144.

'kingdom' or 'a government', one of whose members may very well be the king himself and some of whose components may be purely physical.

We have seen that *rājya* or State according to the Hindu conception consists of seven elements[1]. Fortunately for us Kauṭalya and also Kāmandaka tell us what each one of them exactly denotes. It will be too tedious to set forth here all the details that have been specified by the former which go to make each an ideal constituent. This is one of the few places where Kauṭalya has thought fit to indulge in a little speculation. His object, we know, was severely practical. It is enough if we confine ourselves to the salient features of each constituent specified by him. Now, the first component of a *rājya* or State is the *svāmin*, who denotes the lord or the sovereign. This *svāmin* may be Sovereign One or Sovereign Number. The former of these is the king, and represents the normal type of *svāmin* according to Kauṭalya. It is, however, worthy of note that when he specifies the essential qualities of a *svāmin*, nowhere does he even imply that he must be the king. These qualities he divides into four classes[2]. The first comprises attributes which are of an inviting (*abhigāmika*) nature, that is, those which induce the people to approach him and follow his lead. The second class contains those which relate to his understanding (*prajñā*), and the third tohis energy (*utsāha*). The fourth class includes qualities which go to consti-

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[1] They are generally accepted as 'seven', but, according to some authorties, they are 'eight'.

[2] *Arthaśāstra*, p. 255 & ff.

tute self-possession (*ātma-sampad*). We are not here concerned with the various attributes comprised in those classes. But we may at this place take note of three of them. The first is that a *svāmin* must be a *śakya-sāmanta*, 'one whose neighbours are possible to control'. Then he must also be an *akshudra-parishatka*, 'one possessed of a not insignificant assembly of ministers'. The third requires that he should be endowed with the power of discerning the proper occasion for a treaty or war. If we now carefully consider these qualities, it will be seen at once that the *svāmin* is not a feudatory chieftain, but a veritable sovereign, owing allegiance to none. In other words, he is the ruler of one whole political organisation, and not of any part thereof. We shall see the full significance of this fact when we compare the Hindu conception of the State with that set forth in the modern books of political science.

The second constituent of the Hindu State is the *amātya*. The term is generally taken to stand for 'a minister', but a careful perusal of the early chapters of the Arthaśāstra[1] leaves no doubt as to its signifying 'any kind of high official'. Kauṭalya specifies also the good attributes that go to constitute an ideal *amātya*. Two of these alone need detain us. The very first thing insisted upon about him is that he must be a *jānapada*, a native of the country. The second quality that we may notice is *dṛiḍhabhakti* or stead-fastness of devotion. It is further worthy of note that most of these *amātyas* were administrators and executive officials.

[1] p. 15.

The third component of the Hindu State is *janapada*, which it is very difficult to translate by one single English word. Because here we have to take note of the two aspects of *janapada* dealt with by Kauṭalya. While specifying its characteristics, he says that a *janapada* should be devoid of miry, rocky, saline, uneven and thorny tracts, and be free from wildernesses, tiger and wild beasts and that it should teem with fertile lands, timber and elephant forests. When he gives this description of *janapada*, there can be no doubt that the term must be understood in the sense of 'territory'. But some of the other characteristics he specifies are also worth noticing. For Kauṭalya says further that the *janapada* should be *śatru-dveshī* or hostile to the foe, *śakya-sāmanta* or powerful enough to control the neighbouring kings, *karmaśīla-karshaka* or inhabited by agriculturists capable of toiling and moiling, and *bhakta-śuchi-manushya* or containing people who are pure and devoted. When we take these characteristics into consideration, we cannot help thinking that this *janapada* must denote, population , people'. In fact, the word in Sanskrit has both the senses, and what we have to note in this connection is that *janapada*, when taken as one of the *prakṛitis* of *rājya*, signifies not only 'territory' but also 'population'.

The next constituent of *rājya* is *durga* or fort about which Kauṭalya has supplied us with many interesting details. He lays down that on the frontiers of his kingdom, in all the four directions, a king shall construct forts, which are fit for fighting purposes[1].

[1] *Ibid*, pp. 51 and 296-7

Whoever of the two kings, says he, builds an impregnable fort on a spot inaccessible by nature, with less labour and expenditure, overreaches the other. He specifies four kinds of fort, such as a water fort, a hill fort, a desert fort and a forest fort. The latter two are classed together as wild forts (*aṭavī-durga*), and we are told that to these the water forts are superior and that the latter again are surpassed by the hill forts. The water and hill forts, again, are best suited to defend populous tracts, and the desert and forest forts serve best as headquarters of wild regions. The latter two are also useful to a king for the purpose of flight in an adversity. So much in regard to the frontiers, but Kauṭalya also tells us that in a central place in his kingdom a king should establish the principal town which would be a seat of opulence. He gives direction as to how a spot should be selected for this purpose, how the ditches should be excavated and filled with perennial water, how ramparts and towers should be constructed, how parapet walls should be built, and so on and so on. After supplying us with minute details about these fortifications, Kauṭalya proceeds to tell us how the interior portion should be planned and laid out[1]. And just in this connection he gives us to understand that this *durga* or *sthānīya* is no other than the *pura* or capital town of the kingdom. This is just the reason why some authors such as Manu replace *durga* by *pura* in their enumeration of the seven constituents of the State[2]. It is true that of all the places in a

[1] pp. 54-6.

[2] *Manu-smṛiti*, Chap. IX, v. 294.

kingdom the capital town ought to be the best fortified one. But often this is not possible. Besides, it is absolutely essential, as Kauṭalya has observed, that there should be fortified places on the boundaries for the effective protection of the kingdom. Hence it is safer to take not *pura* but *durga* as forming one of the *prakṛitis* of *rājya*.

As regards *kośa* or treasury which is the next component of the Hindu State that we have to consider, Kauṭalya says that the best of its kind should be rich in gold and silver and be replete with gold coins and gems, big and variegated, so that it could be capable of withstanding calamities for long and uninterruptedly[1] But he lays down that it should, above all, have been acquired righteously by a king himself or by his predecessors. All undertakings (of the State), says he, depend upon *kośa*, and hence foremost attention should be paid to it[2]. Various are the causes that conduce to the growth or diminution of treasury. All these have been mentioned by him. Some of these which contribute to the augmentation of the treasury are *prachāra-samṛiddhi* or opulence of the industrial departments run by the State, *sasya-sampat* or abundance of harvest, *paṇya-bahulya* or prosperity of commerce, and so forth. All these items fall legitimately under Vārtā, as Kauṭalya has explained it. And further he rightly observes that upon this Vārtā are almost solely dependent both the treasury and army of a king, by means of which he can control not only his own but also his

[1] *Arthaśāstra*, p. 256

[2] *Ibid*, p. 65.

enemy's party.[1] As treasury forms such an important factor both of the internal administration of the state and its effective defence against foreign invasion, he allows a king to raise revenue by measures of doubtful quality, but only when his treasury becomes empty and he is in great financial trouble. These measures consist in levying a higher assessment on first-class and fertile land and more heavy taxes on the merchandise of rich merchants, securing benevolences, exploiting the superstitious nature and religious credulity of the people, confiscating the land of the seditious and the wicked, and so on and so on[2]. These considerations clearly show what important part treasury plays in the maintenance of the internal and external independence of a State.

Another weapon like treasury which a king has at his command, according to Kauṭalya, is *bala* or army by means of which he can control both his own and his enemy's party. *Bala*, therefore, forms the sixth constituent of the Hindu state, Kauṭalya distinguishes six kinds of army, such as (1) *maula* or hereditary forces, (2) *bhṛitaka* or hired troops, (3) *śreṇi* or soldiers of fighting corporations, (4) troops, belonging to an ally, or (5) to an enemy, and (6) *aṭavī-bala* or soldiers of wild tribes[3]. Curiously enough the *Āchārya* of Kauṭalya gives another description. He distinguishes between the Brāhman, the Kshatriya, the Vaiśya and the Sūdra troops, and maintains that the first is, on account of lustre, superior to that

[1] *Ibid*, p. 8.

[2] *Ibid*, p. 240-and ff.

[3] *Ibid*, p. 340.

subsequently mentioned in this order of enumeration.[1] Kauṭalya, however, expresses his dissent. He holds that the enemy may at any time win over the army of Brāhmaṇs by means of prostration, but the army of Kshatriyas, being trained in the art of wielding weapons, is better, and so also the army of Vaiśyas or Śūdras if they have great numerical strength. The ideal army, however, according to Kauṭalya,[2] is the hereditary one that has come down to the king directly from his father and grandfather, which is ever pliant to his will, which has the sons, wives and dependants of its soldiers well-contented, which is not averse to making long sojourns, endowed with a power of endurance, which has fought many battles, which is skilful in the handling of all fighting implements, which is free from duplicity with the king in weal or woe, and which is composed of soldiers of the Kshatriya caste.

The seventh and last component of the State according to Hindu polity is Mitra or ally, two kinds of whom are acknowledged by Kauṭalya, namely, *sahaja* and *kṛitrima*. The latter or the acquired ally is one who is resorted to for the protection of wealth and life. The former whose friendship is derived from the time of his father and grandfather and who is situated close to the territory of the immediately neighbouring enemy is obviously a natural (*sahaja*) ally. It is scarcely necessary to add that the *sahaja* is vastly superior to the *kṛitrima* ally. And if to the characteristics of the *sahaja* we add the qualities of

[1] *Ibid*, p. 543.
[2] *Ibid*. p. 256.

being ever pliant, free from duplicity and capable of making preparations for war quickly and on a large scale, as Kauṭalya does, we obtain the ideal *mitra* or ally of the Hindu polity.[1]

The above is a brief description of the principal characteristics of each one of the seven constituents of *rājya* or State. As these constituents have been designated *prakṛitis* or natural elements, it is plain that according to Hindu polity we cannot conceive of a whole and entire State without these seven components. They, in fact, denote the nature of a State. It would be interesting to determine how far this structure of a Hindu State stands the test of the definition of the State given by the modern authors of Political Science. Many are these authors, but we will select only three of them as being perhaps the best known on this side of India. They are Stephen Leacock, the writer of the 'Elements of Political Science', J. K. Bluntschli, author of 'The Theory of the State' and Raymond Garfield Gettel, who has written 'Introduction to Political Science'. The first and the third of these authors lay stress on four essential factors of a State, namely, (1) a Territory, (2) a Population, (3) Unity and (4) Organization. Bluntschli admits these as essential, but adds one or two requisites of his own. Leaving aside the consideration of Bluntschli's view for the time being, let us see what the four indispensable factors of a State emphasised by the other two authors exactly mean. Let us first concentrate our attention on the physical elements, which include Territory and Popu-

[1] *Ibid*, loc. cit.

lation. The idea that there can be no State without the possession of a definite part of the earth's surface is so firmly imbedded in present political thought that it is scarcely necessary to say much about this fundamental requisite of State existence. The Hebrews constituted themselves into a State only on their conquest of Palestine but their modern descendants, being scattered abroad and dissociated from the occupation of any particular territory, can scarcely be thought to form a State. Of course, ideas may vary in regard to the extent of the area over which a State may extend. But there can be no two opinions as to a State being inconceivable without a definite territory. Equally necessary is a population, the second of the physical elements. It goes without saying that a territory must be inhabited to form a State. From the age of Aristotle up till the time of Rousseau, the authors of Political Science have made an attempt to fix definitely the number of individuals that a State may comprise. This, however, is now considered to be exceedingly absurd. Nevertheless it has never been denied that an uninhabited portion of the earth, taken in itself, cannot form a State.

The two other essential characteristics of the State according to the modern political science fall under Sovereignty, and are distinguished into Unity and Organization. Unity means that the territory and population constituting a State must form a political unit. What is here insisted upon is that the State must be a political unit though it need not be a geographical one. The island of Haiti is no

doubt a geographical unit but as it has been split up into two separate republics, it cannot represent the unity presupposed by a State. Similarly the so-called States of North America are not so many separate States from the viewpoint of political science, because they form parts of the wider political organization called the United States of America which themselves form one State. Unless the community forms one coherent whole politically, both in its internal and external relations, there can be no State. The fourth requisite of the State is Organization, which presupposes the distinction between the governors and the governed, the rulers and the subjects. Even granting that we have a population inhabiting a definite territory, and, being disconnected from the rest of the world, is in a sense a unit, it cannot be organized into a State until authority is exercised by some of them over the rest. This submission may be given by mutual consent or exacted through compulsion. But unless there are settled relations of control and obedience, there would be no State.

The above, in short, is the definition of the State emphasised by the modern authors of political science. Let us now see how far it fits the State described by the Hindu authors of polity. Let us first confine ourselves to its physical characteristics which, as we have seen, comprise territory and population. It is scarcely necessary to state that both these requisites are covered by *janapada* which is the third *prakriti* of a *rājya*. It has been pointed out above that from the different characteristics specified by Kauṭalya, *janapada* denotes both territory and population;

and, in fact, as this Sanskrit word has both these senses, Kauṭalya was in a way compelled to use one single term though he meant both these things as is obvious from the different attributes mentioned by him of *janapada*. Thus when he says that a *janapada* should be free from miry, rocky and saline tracts and also from wilderness, tigers and wild beasts and that it should abound in fertile lands, timber and elephant forests, we have, evidently a *janapada* in the sense of 'territory'; and, further, when in the same breath, he tells us that it should be hostile to the foe or should be inhabited by hard-working peasants and contain men who are pure-hearted and devoted to the king, there can possibly be no doubt as to this *janapada* standing for 'population' also. No reasonable doubt need therefore be entertained as to the third *prakṛiti*, namely, *janapada* being co-extensive both with Territory and Population which form the physical constituents of the State from the standpoint of modern political science.

But what becomes of the other two essential characteristics, namely, Unity and Organization? Unity, we have seen, means that this state should denote one political unit. Is that idea involved in the composition of the Hindu State? This is the question that we have now to consider. The very first *prakṛiti* is *svāmin* which means 'the lord or the sovereign'. This itself shows that the territory of which he is the lord must denote an independent entity, not forming part of a wider political unit. Similarly both this *svāmin* and his *janapada* are spoken of as *sakya-sāmanta* or powerful enough to

repel the neighbouring kings. How is this possible unless *svāmin* and *janapada* form part of an independent political organization. Then, again, the last *prakṛiti*, according to Hindu polity, is *mitra* or ally, who is possible in the case of an independent State only. The different types of allies have been minutely described by Kauṭalya, and those who have read his work can scarcely entertain any doubt about their being allies of independent kings whose authority is supreme in their State. All these considerations point to the conclusion that this idea of unity as understood by modern political science is certainly involved in the very conception of the Hindu State. The fourth requisite of the State, namely, organization, need not detain us very long. This organization, as has been shown, presupposes the distinction between the governors and the governed. And it is hardly necessary to add that the enumeration of the *prakṛitis* clearly shows who are the governors and who are the governed. Obviously the *svāmin* or the lord and his *amātyas* or officials are the persons who are invested with this authority, and the *janapada* who form the population denotes the individuals who render obedience. Again, Organization does not simply presuppose the distinction between the rulers and the ruled, but shows also the method by which authority is exercised by the former over the latter. It is not enough to distinguish between the sovereign and the subjects, but Organization must denote also the way by means of which the State can enforce its will. This is beautifully indicated by the fourth, fifth and sixth of the *prakṛitis*, namely, *durga*, *kośa* and *daṇḍa*.

If the sovereign authority expresses a will which the subjects at any time are in no mood to carry out, the former can administer it through the instrumentality of *daṇḍa* or army which alone guarantees the execution of its orders. But there can be no effective army, unless the State coffers are full and money is forthcoming not only for the payment of soldiers and its officers but also for military appliances and equipment. It is, however, conceivable that a king may have a long purse. but that his subjects may be so disaffected or that a civil war may break out with such virulence that the army itself may cease to be reliable. Occasions may therefore arise which make it advisable for a king to flee to a place of safety for the time being till he is able to rally the discordant elements to his standard and assert his authority again. And what places other than fortified strong-holds can offer this safety? The fourth requisite of the State, namely, Organization, must therefore be taken to point to not only to the distinction between the governors and the governed, that is between *svāmin* and *amātya* on the one hand and *janapada* on the other, but also to the different means which enable the former to exact obedience from the latter, such as, forts, treasury and army.

It has been mentioned above that all the four essentials of a State specified by Professors Leacock and Gettell have also been specified by Prof. Bluntschli, but that the latter mentions also a fifth requisite on which he lays great stress.[1] According to his view, the state is not a lifeless instrument, a dead

[1] *The Theory of the State*, p. 18 and ff.

machine, but a living organism not of a lower but of a higher kind. In other words, in his opinion, the State (1) is endowed with spirit and body, (2) has members with various special functions, and (3) develops and grows. This organic nature of the state, says the Professor, has not always been understood, and it is the special merit of the German school of historical jurists to have recognised it. An oil painting is something other than a mere aggregation of oil and colour, and likewise the state is not a mere collection of external regulations. Let us now see whether this notion of the organic nature of the state, if not exactly in this form, at least somewhat like it, was known to Hindu political thought or not. The seven *Prakṛitis*, it is worthy of note, have been called limb-like elements of the state.[1] These limbs, of course, suggest the body (politic). Kāmandaka who follows Kauṭalya scrupulously explains it by saying that they constitute a state consisting of seven limbs which are mutually serviceable. This is expatiated upon by the commentator Sankarārya by saying that this state is like a chariot consisting of several parts which are contributory to one another. The state was therefore conceived of as an organism like a chariot composed of parts fitted and subservient to one another. It may, however, be argued that the state is thus likened to a machine which is a dead and not a living organism—not an organism which has spirit and body. Is the state anywhere compared to such a spiritual organism in the books of Hindu Polity? It may therefore be worth while to turn

[1] *Arthaśāstra*, p. 257; *Nitisāra*, Canto IV, v. I.

our attention to another simile indulged in by Kauṭalya elsewhere. "A *svāmin* says he, "when he is endowed with rich qualities, enriches the *prakṛitis* (the elements of the state) with his own richness. Of whatever character he is, of that character the *prakṛitis* become; because their progress and decline are dependent upon him. A *svāmin* is, indeed, their *kūṭa-sthānīya* or (Immutable) Spirit".[1] Practically the same idea is expressed by Kāmandaka when he says that "A king like an inner soul (*anatar-ātmā*) pervades this movable and immovable universe (only) when he controls the *prakṛitis* (the seven elements of the state; or the eight primary elements of creation)".[2] It is quite clear from this simile that the state is here looked upon by the authors of the Hindu polity also as a living spiritual organism, where the *svāmin* was the soul and the other six *prakṛitis* or natural constituents the body of that state. The simile even goes still further, for Kauṭalya admits that as *svāmin* is the spirit of the body politic, the latter grows or declines with him. Prof. Bluntschli also admits that the state, as a living organism, also develops and grows. This characteristic of the state does not thus seem to be lost sight of even by Kauṭalya. But the Professor, we have seen, also notices a third characteristic, namely, that the state, as a living organism has members with various special functions. It is true that there is nothing in Kauṭalya which expresses that idea. Manu, however, has the following: "Yet in a state composed of seven limbs, which is upheld like the triple staff (of an ascetic),

[1] *Arthaśāstra*, p. 320. [2] *Nītisāra*, Canto IV, v. 75.

there is none more important (than the others), by reason of the importance of the qualities of each for the others. For each part is particularly qualified for (the accomplishment of) certain objects, (and thus) each is declared to be the most important for the particular purpose which is effected by its means".[1] The second of these verses clearly shows that each *prakṛiti* has its special function, exactly as insisted upon by Prof. Bluntschli. The first verse, again, shows the paramount necessity of each *prakṛiti* in the organic whole of a *rājya*. Both these verses clearly express the conception of integration and differentiation involved in the organic unity of the state.

We must, however, notice the difference in the standpoint of both Hindu theorists and Prof. Bluntschli. When the latter speaks of a state in this connection, he means principally the national state of which the national spirit and the national will, apart from the average spirit and the average will of the multitude, form the spirit and the will of the state. When Kauṭalya, however, refers to a state, he has in view any kind of state, whether or not it is restricted to one race, nation, or people. The development of nationalism seems to be the chief goal according to modern political science, but in the time of Kauṭalya the Chāturanta State or the Imperial State over the whole Aryandom was looked upon as constituting the most coveted state according to Hindu polity, We have discussed, above, the passage where Kauṭalya considers Svāmin to be the

[1] *Manu-smriti*, Chap. IX, vs. 296-7.

spirit of the state. There he makes it also quite plain that so long as a king is possessed of the best qualities, he can make all the other *prakṛitis* rich and prosperous, although they are weak and impoverished. The same idea he has expressed elsewhere. Nay, Kauṭalya goes even one step further, and observes that *rājā rājyam=iti prakṛiti-samkshepaḥ*, that is, the *prakṛitis* in epitome mean 'the king is the state'.[1] This remark of his cannot, however, be taken to be identical with the famous dictum of Louis XIV: L'état c'est moi, because the latter evidently implies that not only unlimited but also arbitrary power was centred in him. This is just what Kauṭalya could not have intended. Though he looks upon monarchy as the best type of the state, he tells us in at least two places that after all this king was a servant of the state.[2] Unlimited power, no doubt, was centred in one single individual according to Kauṭalya, but its arbitrary use could never have been contemplated, or even tolerated. Kauṭalya, like other writers of the ancient Hindu polity, is never wearied of impressing on the mind of the king the paramount necessity of controlling the *satru-ṡhaḍ-varga*, that is, the six passions,—*kāma*, *krodha*, *lobha* and so forth, which are the six enemies of the king. He even cites instances of rulers who have destroyed themselves, their families and their kingdoms by falling a prey

[1] For a different interpretation see Samkarārya's gloss on *Kāmandakiya-Nitisāra*, Canto VIII, v. 4. I am indebted to Mr. Hari Krishna Deb for drawing my attention to this.

[2] This point has been developed in Lecture V.

to one or more of these malevolent affections.[1] Similarly, in describing the qualities of the *svāmin*, Kauṭalya not only exhorts him to free himself from passions of the type just referred to but also lays stress on the fact that he must see through the eyes of the aged ministers about him and follow just that course of conduct that may be approved by them.[2] The king is thus clearly advised not to allow caprice or any kind of arbitrary feeling to take possession of his mind in determining and pursuing the policy of his state. It is possible to contend that this after all is an exhortation to the kings, which had no bearing on real political life and which must more often have been observed in the breach. Was it so really? Was it not in a way forced upon the king by the circumstances of the period? For it must be remembered that slightly before the time of Kauṭalya, India was split up into a number of tiny, independent states, each of which was ready to pounce upon its neighbours at the least favourable opportunity. In these circumstances it was absolutely necessary for every king, not only to develop the qualities of manliness and diplomacy so far as foreign relations were concerned but also lead a life of public righteousness and unselfishness to ensure a good and peaceful government at home. Whether in any particular kingdom the people were disaffected with their ruler or not was a point which the neighbouring princes were always careful to watch and detect. For the

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[1] *Arthasāstra*, pp. 11-2.

[2] The king should be not only *vriddhopades-āchāra*, but also *riddha-darsin* (*Arthasāstra*, pp. 257-58).

discontent of the subjects was looked upon as a serious flaw, almost a calamity, in a state, and invariably determined the foreign policy of its neighbour in regard to the extension of its boundary. Those who have read Book VII of the *Kauṭalīya* know it full well. But for those who have not studied this work, the following stray passage may be selected from it. The question is raised: which enemy should be marched against, an enemy strong but of wicked character or an enemy weak but of righteous character? Kauṭalya answers it by saying that the former should by all means be attacked, for though he is strong, his subjects will not help him, but, on the contrary, will either put him down or go over to the other side. "When a people are impoverished", says he, "they become greedy; when they are greedy, they become disaffected; and when they are disaffected, they voluntarily go to the side of the enemy or destroy their own master".[1] It will thus be seen that both public opinion and actual environments proved an effectual barrier against any king employing in an arbitrary manner whatever power he possessed and howsoever unlimited it might be in some cases. The home policy of a king has therefore been well enunciated by Kauṭalya, when he says that "in the happiness of his subjects lies the happiness of a king, in their welfare, his welfare. The king shall consider as good, not what pleases himself but what pleases his subjects". This policy was in a way forced on the king, especially in the period slightly prior to Kauṭalya. That the king should rule firmly, justly

[1] *Arthaśāstra*, p. 277; also p. 259.

and righteously was the universal understanding of the people. And the political firmament of the time was in such a state of extreme tension that the king, if he was a wise ruler, could not afford to displease his subjects. On the contrary, he was compelled to use his physical, mental and spiritual powers to their very best, to keep them contented and well-disposed, and so develop the resources of his kingdom as to give him the richest treasury, the most loyal and efficient army, and the most impregnable forts, not only to ward off attacks of his adversaries but also to be on the alert to pounce upon a weak and mismanaged state, and extend the bounds of his own dominions. This no doubt proved an effective check to the maladministration of any state. The ideal thus seems to have had some righteous aspect. And this was perhaps the reason why this universal conquest was associated with the performance of sacrificial rites and ceremonies such as the Rājasūya, Vājapeya and Aśvamedha, which imparted a religious character to it.

The *prakṛitis* enumerated by the political thinkers of Ancient India are intended to describe the nature of the state. Modern political science no doubt, gives the definition of the state, but it is curious that it makes no attempt to set forth the exact nature of it. 'Territory' and 'population' may be looked upon as elements of the state, but 'unity' and 'organization' can scarcely be so described. The last two are not concrete things. They are characteristics, but not elements, of the state. They are useful for framing its definition, but not for describing its com-

position. Hindu polity not only tries to describe the nature of the state, but does it apparently with some exactitude and thoroughness. They not only fulfil the modern definition of the state, but even enable us to determine in what respects this definition is perhaps somewhat deficient. The modern political thinkers think of the state statically and not dynamically. Their definition describes the state rather internally than externally. Hindu polity, on the other hand, looks at the composition of the state as a whole, that is, perceives it not as a thing in itself but as one political entity among and in relation to many. This is evident from the fact that one of the constituents of the state is *Mitra* or ally, who can figure only in the international sphere. This *Mitra* is the *Svāmin* of another state. This foreign but important aspect of it is made prominent by Hindu theorists whenever they describe the state.

LECTURE IV.

Different Types of States.

In this Lecture we shall attempt to survey the different types of states that were known to Ancient India and differentiate them one from the other. In the previous Lecture it was pointed out that monarchy was the norm of the Hindu state. The first question that therefore arises is: whether any forms or types of monarchy were recognised. Of course, there were the paramount sovereign and feudatory or tributary princes. The distinction between the two was always clearly indicated by the titles and epithets that were coupled with their names. They became practically stereotyped in the post-Gupta period. Thus the rank of the supreme ruler was indicated by the titles: *parama-bhaṭṭāraka mahārājādhirāja Paramesvara*; and that of the feudatory chieftain by *samadhigata-pañchamahāśabda maha-sāmantādhipati*. In the period preceding it, the distinction between a subordinate chief and an overlord was indicated by other titles, which varied with ages and with dynasties. They could, however, be hardly looked upon as constituting two distinct types of monarchy. But what was the state of things in the political India of the pre-Mauryan period? This is the question that we shall here first attempt to tackle. There are five hymns in the Sukla-Yajurveda (XV. 10-14) in which a deity is addressed in five of the different ways in which the kings were styled in those

days. Along with this mode of address five directions and five different classes of gods have been specified. Thus Rājan is associated with the east and the Vasus; Virāṭ, with the south and the Rudras; Samrāṭ with the west and the Adityas; Svarāṭ with the north and the Maruts; and Adhipati with the upper direction and the Viśvedevas. As no distinct countries or tribes have been mentioned here, the specification of the directions seems scarcely to have any value. Such is not, however, the case with a passage in the Aitareya-Brāhmaṇa, which specifies different titles of kings prevailing in different countries. The passage in question relates to the coronation of Indra.[1] The Vasus inaugurated Indra in the eastern direction for *sāmrājya*; hence the kings of the Prāchyas, we are told, are inaugurated to *sāmrājya* and called Samrājs. Then the Rudras inaugurated Indra in the southern region; hence all kings of the Satvats in the southern region are inaugurated to Bhaujya and called Bhojas. Similarly, the Ādityas inaugurated him in the west to *svārājya*; hence all kings of the Nīchyas and Apāchyas in the western direction are inaugurated to *svārājya* and are called Svarājs. Then the Viśvedevas inaugurated him to *vairājya* in the northern region; hence the peoples (*janapadas*) living in the northern region beyond the Himālyas are inaugurated to *vairājya* and are called Virājs. Then the Sādhyas and Āptyas inaugurated Indra in the middle region to *rājya*; hence the kings of the Kuru-Pañchālas together with the Vaśas and Uśīnaras are inaugurated to *rājya* and are called Rājans. Then

[1] *Ait. Br.* VIII, 14 (Haug's Text, pp. 203-4).

the Maruts and Angirases inaugurated him in the upper region to *pārameshṭhya, māhārājya, ādhipatya* and *svāvasya*, which, be it noted, are not associated with any countries or peoples.

If we now carefully consider the passage referred to above, an impression is produced on our mind that the terms *Samrāj*, *Bhoja*, *Svarāj*, *Virāj* and *Rājan* were so many different titles of the ruler prevailing in the different parts of the country but denoting the same status. That they were royal titles belonging to the specific countries is shown also by the use of the term *Bhoja*, which is in no way connected with the root *rāj*, and yet is found, like *Rāshṭriya*, as a title of some early southern kings, in some cave-inscriptions of Western India. In this connection the following passage from the same Brāhmaṇa(VIII. 15)deserves to be further considered : *sa ya=ichchhed=evaṁvit kshatriyam*=(1) *ayam sarvā jitīr*=*jayeta* ; (2) *ayam sarvān lokān vindeta ;* (3) *ayaṁ sarveshām rājnām sraishṭhyam*=*atishṭhām paramatām gachchheta—sāmrājyam Bhaujyam svārājyam vairājyam pārameshṭhyam rājyam mahārājyam ādhipatyam ;* (4) *ayam samantaparyāyī syāt—sārvabhaumah sārvāyusha ā ntād ā parārdhāt pṛithivyai samudraparyantāyā eka-rāl iti*. If we leave aside the first five words of this passage, we shall find that the term *ayam* is repeated four times and divides the various conquerors into four classes. The first two of these may be set aside, because they have not received any distinguishing names or epithets. This much, however, is certain that they were chieftains and petty rulers. The third class evidently represents

those who were overlords, those who had obtained suzerainty over minor chiefs. In this class are included not only the Samrājs, Bhojas, Svarājs and Rājans, but also Parameshṭhins, Mahārājas, Adhipatis and so forth. As these latter, here as elsewhere, have been mentioned without any reference to any particular countries or peoples, it seems that they were general designations of royal authority. But in this list of royal ranks, the highest is that represented by *Samanta-paryāyī*, who is possessed of the whole earth (*sārvabhauma*), is the master of the totality of living beings (*sarvayusha*),[1] and is the sole ruler (*eka-rāṭ*) of the earth bordered by the ocean, up to its frontiers, and as far as (and including) its second half. *Samanta-paryāyī* thus seems to denote a universal ruler.

Whether the royal titles mentioned in the Aitareya-Brāhmaṇa were accepted in these their imports and significances all over India even during the Brāhmaṇa period is not certain. The term *Svārājya e.g.* occurs in the Taittirīya-Brāhmaṇa,[2] where it is explained as *ya evam vidvān Vājapeyena yajati, gachchhati, Svārājyam, agram samānām paryeti, tishṭhante=smai jyaishṭhyāya*. The word *jyaishṭhya* here seems to indicate the sovereign power not of some supreme monarch, but rather of some supreme elder or president of a republic ; and *Svārājya* of this text apparently denotes the same thing denoted by the *Vairājya* of the Aitareya-

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[1] That the word *āyus* in the Vedic times signifies also 'the totality of living beings' may be seen from *Rig-Veda*, II, 38, 5; and VII, 90, 6.

[2] I, 3, 2, 3.

Brāhmaṇa. Again, the Satapatha-Brāhmaṇa[1] lays down that the Rājasūya sacrifice is that of a Rājan, and Vājapeya that of a Samrāj, and that the latter is of a higher status than the former. Be that as it may, this much is certain that even in the Brāhmaṇa period three distinct grades were recognised in the monarchical rule, namely, that of the feudatory chieftain, the overlord, and the universal monarch.

It is rather curious that Samrāj and similar titles of suzerain power are nowhere traceable in Brahmanical, Buddhist or Jaina literatures during the post-Brāhmaṇa period ending with the beginning of the Christian era. As regards Samantaparyāyī, this term also is not met with in this period. But there are other terms indicative of universal power which seem to have sprung up at this time and replaced it completely. Such terms are Sārvabhauma, Chāturanta and Chakravartin. The first of these is found mentioned in the Āpastamba Srautasūtra (XX. i. i) alone. But the remaining two are of more frequent occurrence, being traceable in all literatures. The Dīgha-Nikāya[2] of Pāli Buddhism has a Sutta entitled *Mahā-Sudassana-suttanta* setting forth the exploits of king Sudassana. He is therein designated as Chāturanta and Chakravartin, and described as subjugating the earth up to the borders of the four oceans. Similarly, the Jaina scriptural text of the Kalpasūtra[3] tells us that Triśalā had

[1] V, 1, 1, 13; XIV, 1, 3, 8.
[2] (PTS.), Vol. II, p. 169 ff.
[3] (Ed. by H. Jacobi), pp. 52-3,(74 and 80; SBE., Vol. XXII, pp. 246-7.

fourteen great dreams just as she was conceiving Mahāvīra in her womb and that when the interpreters of dreams were called in, they predicted that her son if he obtained a kingdom would be a Chāturanta Chakravartin and if he retired from worldly life, a Jina. Similarly, in the Mahāparinibbāna-sutta[1] Buddha compares Tathāgata to a Chakravartin. Kauṭalya also speaks of the universal monarch as a Chāturanta or Chakravartin. Chapter I of Adhikaraṇa VI. of the Arthaśāstra[2] ends with verses, two of which, as we have already seen, clearly imply that a Chāturanta is one who subjugates the whole earth. Similarly, in another place he thus describes the extent of a Chākravartin's domain[3] : *desah prithivī ; tasyāṁ Himavat-samudr-āntaram = udīchīnam nava-yojana-sahasraparimāṇaṃ tiryak*[4] *Chakravarti-kshetram.*

"The territory (to conquer) is the earth; the space intervening between the Himālayas and the ocean on that (earth), which is nine thousand *yojanas* in extent, running northwards (*udīchīna*) obliquely (*tiryak*), is the sphere of a Chakravartin".

This passage has not been properly understood and consequently not properly translated. Kauṭalya evidently has here the whole Bhāratavarsha in view. In his opinion he whose dominion extends over the whole of this country is the Chakravartin. And

[1] *Digha-Nikāya* (PTS.), Vol. II, pp. 141-2.

[2] 4P. 259.

[3] Ibid., p. 340.

[4] I have here adopted the reading of Samkarārya from his gloss on *Kāmandakiya-Nitisāra*, Canto I, v. 39, as it suits better the texts of the Purāṇas referred to below.

while defining the limits and extent of this Bhāratavarsha, he shows his indebtedness to the Purāṇa. Precisely these limits and this extent have been specified in the Vāyu-Purāṇa (Cap. 45, vs. 80-7) and also the Matsya-Purāṇa (Cap. 114, vs. 9-15). Thus both these Purāṇas tell us that this country, which is surrounded by the seas, stretches from Cape Comorin to the source of the Ganges and is one thousand *yojanas* from south to north (*dakshiṇ-ottaram*), but is nine thousand *yojanas* in extent, running northwards obliquely, and that he who conquers it whole is known as Samrāj.

In his translation of the passage from the Mahāparinibbāna-sutta[1] where Tathāgata is compared to Chakravartin, the late Prof. Rhys Davids remarks that there could not have been any Chakravartin in India before the time when the Maurya king Chandragupta raised himself to power. This view will hardly commend itself to the impartial students of Hindu polity. For, in the first place, so far as we know, Chandragupta never made himself master of the whole of India. Even his grandson, Aśoka, who added Kalinga to the dominions of his imperial family, had not subdued the four tiny states of extreme South. Nor anywhere in his epigraphic records does he assume the title of Chakravartin. It must not however be thought that the title of Chakravartin had really fallen into desuetude about this time. For Khāravela who flourished about the beginning of the Christian era calls himself the Chakravartin

[1] SBE., Vol. XI, p. 92, n. 2.

of Kalinga.[1] Secondly, corresponding to the Chakravartin of the early Buddhist period we have Samantaparyāyī of the Aitareya-Brāhmaṇa,[2] which names more than half a dozen of kings who had subjugated the whole earth and were consequently entitled to the use of that epithet. There is therefore nothing to prevent us from supposing that universal monarchs were known to India prior even to the time of Chandragupta, the founder of the Maurya dynasty.

We have seen that curiously enough, the regal titles of the Brāhmaṇa period are not traceable in the literatures ranging between 500 B.C. and 100 A.D. Some of them are however to be met with in later times, e.g., in the Amarakosha. Thus the terms *virāj*, *svarāj* and *samrāj* occur in this lexicon, but with varying significations. Thus *virāj* is given as a synonym of *kshatriya*, and *svarāj* as another name of Indra. *Samrāj* is explained as denoting apparently, three different things :—(1) the performer of the *rājasuya*, (2) controller of *rājans*, and (3) lord of a *mandala*, that is, denoting the universal monarch, suzerain, and feudatory chieftain. The special terms, however, employed in this lexicon, indicative of these ranks, are Chakravartin, Adhīśvara and Maṇḍaleśvara. In still later times, these and other terms denoted the different grades of monarchy corresponding to their incomes. Thus the Sukranīti[3] gives the following table :

[1] H. Lüders' *List of Brāhmi Inscr.*, No. 1346.

[2] VIII,21.

[3] I, 182 and ff.

Sāmanta,	from	1 to	3	lacs	of	silver	Karshas.
Māṇḍalika,	„	4 to	10	„	„	„	„
Rājan	„	11 to	20	„	„	„	„
Mahāraja	„	21 to	50	„	„	„	„
Svarāj	„	51 to	100	„	„	„	„
Samrāj	„	1 to	10	Crores	of „		„
Virāj	„	11 to	50	„	„	„	„
Sārvabhauma	„	51 & crores upwards.					

It will be seen from the above discussion that what are generally supposed to be the different types of monarchy are really different grades in monarchy. But were there, as a matter of fact, any forms of monarchy? An old Jaina canonical text refers in one place to the countries which are tabooed for a Jaina monk to visit. One of these is *do-rajja,* which means, of course, a rule of two kings.[1] Kauṭalya also refers to it as *dvai-rājya,* and remarks that such a government perishes through mutual hatred, partiality and rivalry.[2] This must be the reason why a Jaina monk is advised not to reside in such a country. *Do-rajja* must have been something like the State of Sparta ruled by two kings. In fact, Diodorus speaks of Alexander sailing up the Indus and coming to Tauala, "a city of great note, with a political constitution drawn on the same lines as the Spartan; for in this community the command in war was vested in two hereditary kings of two different houses, while the council of elders ruled

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[1] *Āyaraṁga-Sutta* (PTS.), II, 3, 1.

[2] *Arthaśāstra,* p. 325. But from a variant noticed below it appears that this was the view, not of Kauṭalya, but of his teacher.

the whole state with paramount authority".[1] This no doubt represents one type of *dvai-rājya*, but Kauṭalya speaks of another which consisted of the joint rule of father and son or of two brothers.[2] According to this type, the rule remained with two kings of one and the same house. The joint coins of Lysias and Antialkidas, Strato I and Agathocleia, Stratos I. and II., Azas and Azilises, Vonones and Spalahores, Chashṭana and Rudradāman I. clearly indicate conjoint rule of another type in Ancient India.[3] Of these Vonones and Spalahores indicate the *dvai-rājya* of two brothers, and, Azas and Azilises, Stratos I and II and Chashṭana and Rudradāman, that of father and son or grandson.

A third type of monarchy which is somewhat akin to the Saṁgha form is that hinted in a verse of the *Arthaśāstra*,[4] namely, *kulasya vā bhaved=rājyaṁ kula-saṁgho hi durjayaḥ*. What Kauṭalya means is that a kingdom may sometimes belong, not to any ruler individually, but to a royal family collectively. The sovereignty of such a kingdom is then vested in a *kula-saṁgha*, to adopt his phraseology. Two

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[1] Mc. Crindle's *Ancient India, Its Invasion by Alexander the Great*, p. 296.

[2] *Arthaśāstra*, p. 325, footnote.

[3] *Ind. Ant.*, 1923, p. 279.

[4] P. 35. In my opinion, *kula* of this verse signifies 'a family', not 'a clan'. The first verse describes an alternative in the enjoyment of sovereignty, namely, that it may go to the eldest son in a royal family. If it cannot be held by one single prince, the other alternative must naturally be that it might be shared collectively by all the members of that family. *Kula* must therefore mean here 'a family', and not 'a clan'.

instances of this monarchical Saṁgha are known. Before the Mauryas came to power, the country of Magadha, we know, was ruled over by the Śiśunāga and Nanda dynasties. The last but one prince of the former was Kālāśoka, and the Mahāvamsa tells us that after him the kingdom was held by his ten sons, not successively but jointly. Similarly, in regard to the latter dynasty the Purāṇas inform us that the Nandas consisted of one father and eight sons who exercised collective supremacy over their empire.[1] These are obviously instances of the *kula-saṁgha*, where the kingdom is held, not by one member, but all the members, of a royal family.

So much for monarchy ; and we shall now proceed to consider the other forms of sovereignty that were known to Ancient India. A study of Pāṇini's Sūtras tells us that up till his time at any rate there were many countries named after the Kshatriya tribes which were settled there. This conclusion is confirmed also by epigraphic and numismatic evidence though of a somewhat later period. The Kshatriyas were the fighting and ruling tribes, and it is therefore natural that districts and provinces conquered and occupied by them should be called after them. But what further about these Kshatriya tribes ? Were they invariably of a monarchical constitution ? Was the political power always centred in the hands of only one or more or all members of the ruling family of the tribe ? Here Kātyāyaṇa comes to our help, who, while commenting on a Sūtra of Pāṇini, tells us that the Kshatriya tribe may be *ekarāja* 'possessed

[1] *Car. Lect.*, 1918, pp. 82-3.

of Individual Sovereign' or a *saṁgha* 'having Collegiate Sovereign'. Now, what is this word *saṁgha*? It does not denote a mere collection, a promiscuous conglomeration, which is really signified by *saṁghāta*, but rather a combination of individuals for a definite purpose, a corporation.[1] It will be easily seen that there can be as many classes of Saṁghas as there are kinds of purposes with which they are started. Thus if we have a fraternity composed of persons devoted to a particular set of religious beliefs,—we have a religious Saṁgha, the most typical example of which is the Buddhist Saṁgha. We may also have a Saṁgha for the purpose of trade and industry, that is, a trade or craft guild, or Sreṇi as it has been specifically called in Sanskrit. A third class of Saṁgha is *āyudhajīvin* as Pāṇini calls it or *sastropajīvin* as Kauṭalya styles it, both expressions meaning 'a corporation of men subsisting on arms'. This Saṁgha denoted tribal corporations of fighting people, who were seldom settled permanently in any province or country. But whenever they were settled, no doubt temporarily, over any tract of land, they subsisted not only upon their arms but also upon agriculture. This is the reason why Kauṭalya[2] speaks of them as *vārtā-sastr-opajīvinah*. They also developed a patriotic feeling for the country where they were so settled, and hence kings have been directed by Kauṭalya[3] to seek the aid always of such fighting corporate tribes as belonged to his *janapada*. That they were

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[1] *Car. Lect.*, 1918, p. 141 and ff.

[2] *Arthaśāstra*, p. 378.

[3] Ibid., p. 345.

not however entirely bereft of their migratory habits may be seen from the fact that Kauṭalya[1] recommends kings in the case of turbulent Saṁghas either to expel them altogether from his kingdom or divide and settle them in the different parts of the country. So far as this fighting character of the Saṁgha was concerned, they had generally a tribal constitution of their own, which was akin to the democratic form. But it can scarcely be considered to be political, as they seldom had any political sway over any tract of land.

It is true that the Saṁgha described above had no political character, but we can certainly have a political Saṁgha or a corporate body of individuals for the purpose of governing or ruling over a territory. And it is this Saṁgha which Kātyāyana has in view when he contrasts it with an *ekarāja* Kshatriya tribe. It is difficult to translate it by any single English word, but the term 'republic' as understood in classical political philosophy, makes the closest approach to it. There is a passage in the Aṅguttara-Nikāya[2] which specifies a list of rulers from the king downwards. In the concluding portion of it, we are told that one class of rulers was Pūgagāmaṇika, Chiefs of the Pūgas, and below them in rank are the Chiefs of Kulas. About the last we are told that they by turn exercised rule (*ādhipatya*) over the Kulas. This is another form of the Kula-saṁgha; but the word *Kula*, be it noted, here signifies not 'a family' but 'a clan'. Unfortunately, this Sanskrit term has both the senses,

[1] Ibid., p. 379.
[2] (PTS.), Pt. III, pp. 76 and 160.

and we must therefore be careful in finding out which sense at any particular time is intended. The Kula-saṁgha of the *Kauṭalīya* denotes the corporation consisting of the members of a royal family. But the Kula power referred to in the passage from the Aṅguttara-Nikāya denotes the rule of a clan. A typical example of this last is furnished by the Sākyas, to whose race Buddha belonged. The Kuṇāla-Jātaka describes a feud between the Sākyas and their neighbours the Koliyas.[1] This account affords us a few glimpses into the nature of the Sākyas state. It appears that their settlements consisted of serfs and labourers, the attendants, village-headmen (*Bhojaka*), councillors (*Amātyas*) and Viceroys (*Uparājas*). As regards the ruling class it seems to have been divided into families, the heads of which were all called Rājans or kings. Their sons were consequently known as Kumāras or princes. "A single chief—how, and for what period, chosen, we do not know—was elected as office-holder presiding over the sessions, and if no sessions were sitting, over the state".[2] It was such an office-bearer who was the ruler or Jeṭṭhaka of the Kula, as we are informed by the Aṅguttara-Nikāya. There can be no doubt that this was a kind of political rule, because the Sākya clan, as we are told, had their viceroys, councillors and village-headmen.

The second form of the Saṁgha rule is represented by the Pūga or Gaṇa, which according to Kātyāyana, the author of a Smṛiti, is an aggregation of families

[1] *Jāt*, Vol. V, p. 412 and ff.

[2] Rhys Davids' *Buddhist India*, p. 19.

(*kulānām tu samuhas=tu Gaṇaḥ sa parikīrtitaḥ*). The religious Saṁghas were often constituted after their political prototypes. The founder of Jainism was a Kshatriya born in a suburb of Vaiśālī, capital of the Lichchhavi Gaṇa, and himself related to a Chief of this Gaṇa. It was, therefore, quite natural that he should have formed his congregation after the model of the Gaṇa which he knew best. We know that the Jaina Saṁgha was split up into a number of Gaṇas, the Gaṇas into Kulas, Kulas into Sākhās, and Sākhās into Saṁbhogas. It is quite certain that the political Gaṇa was similarly divided into a number of Kulas, and it is possible that these Kulas were further divided into Sākhās, and Sākhās into Saṁbhogas, exactly as was the case with the Jaina Saṁgha. Chapter 107 of the Sāntiparvan throws further light on this subject. The members of a Gaṇa are there said to be exact equals of one another in respect of birth and family, and it is expressly stated that if quarrels broke out amongst the Kulas, the Elders of the Kulas should by no means remain indifferent, otherwise the Gaṇa would be dissolved. This also clearly shows that Gaṇa in its specific sense denoted the rule of a federation of families, whether they belonged to one clan or one tribe. We further learn that a select few were appointed by a Gaṇa from among themselves called Mukhyas or Chiefs, as we also learn from the *Kauṭalīya*. They constituted a sort of cabinet, and were in charge of the department of espionage and of all state affairs of a highly confidential character. Though the real power, as a rule, lay in the hands of a few only, every member of the

Gaṇa was styled Rājan. Kauṭalya distinguishes between two kinds of Saṁgha, one of which alone is a political corporation. He styles it *rāja-sabd-opajīvin*, that is, (an organization), the members of which live upon the title Rājan. The members themselves have been called by him *rāja-sabdins*. This receives support from the Lalitavistara[1] which says about the Lichchhavis that *ekaika=eva manyate ahaṁ rājā ahaṁ rāj=eti*, that is, "every one thinks 'I am king; I am king" when none of them singly or properly was. What this exactly means it is difficult to say. But it seems that every member of such a Saṁgha assumed the title of a king and exacted, from the people of his domain, land and such other taxes as were due to a king only. He thus subsisted on the title of a king that he bore, though his power was limited to a small tract of land. The individual members may not each be a 'king' in the real sense of the term, but that they together formed a political Saṁgha can scarcely be doubted. One Sutta of the Majjhima-Nikaya[2] introduces us to a discussion between Buddha and a Jaina monk called Sachchaka. In the course of the discussion the former asked whether Pasenadi, king of Kosala, or Ajātaśatru, king of Magadha, had power to banish, burn, or kill a man in his dominions. At the time of the discussion some Lichchhavis were present; and, pointing to them, Sachchaka replied that if the Saṁghas and Gaṇas, like the Lichchhavis or the Mallas, had this power in their own kingdom, certainly Pasenadi and Ajātaśatru did possess it. This indicates that the Saṁgha

[1] Lefmann's Ed., p. 21. [2] Pt. I, p. 231.

had much less political power than a king. And when even this little power possessed by the Saṁgha is divided and 'perhaps subdivided among its numerous members, it is ridiculous to say that each member was a real Rājan or king though he may call himself to be so for the purpose of eking out a living.

Various are the examples of the Gaṇa state. Kauṭalya mentions no less than seven, namely, Lichchhavis, Vṛijikas, Mallakas, Madrakas, Kukuras, Kurus and Pañchālas. In another place in his work he speaks of the Vṛishṇi Saṁgha also. The first of these is the Lichchhavis who were practically the same as the Vṛijakas.[1] Fortunately for us we possess better and more detailed information about them, and are in a position to know something definite about the constitution of their state. Let us cull together all the pieces of information bearing on this point that are available. The preambles of the Jātakas[2] tell us in two places that there were as many as 7,707 Lichchhavi kings, staying at Vaiśālī to administer the affairs of the state. The Kalpa-sūtra of the Jainas, however, speaks of them as only nine.[3] The discrepancy can perhaps be explained by saying that the latter number represents the Chiefs of the Kulas or clans, who formed the cabinet. Each Kula thus roughly comprised 855 members who styled themselves Rājans,—which is not a big number considering that

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[1] It is possible that the Lichchhavis and Vṛijakas were two clans of one tribe. See *Majjhima-Nikāy-aṭṭakathā* on *Mahāsihanāda-sutta.*

[2] III. 1 ; IV, 148.

[3] *Sacred Books of the East*, Vol. XXII, p. 266.

the Kulas were divided into Sākhās and the Sākhās into Saṁbhogas and that according to the Hindu custom all brothers are entitled to a share in the paternity. As time rolled on, these numbers must have increased, and this seems probably to be the reason why the Mahāvastu[1] speaks of the twice eightyfour thousand Lichchhavi kings residing in Vesāli. One Jātaka[2] further informs us that there were as many Uparājas or Viceroys, Senāpatis or generals, and Bhāṇḍāgārikas or Treasurers staying with the kings at this capital, that is, 7,707 each.[3] This number seems to be somewhat excessive, but, considering the pride of the title each inherited, a Lichchhavi king must have been compelled to maintain this office staff for the sake of his prestige in spite of his slender income. That the Lichchhavis were proud and jealous of their title of Rājan is evident from the fact that they had their coronation ceremony performed. We read of there having been a special *pushkariṇī* or tank in Vesāli, the water of which was used to sprinkle their heads while being crowned. The tank was considered very sacred, and was therefore covered

[1] Vol. I, p. 271. This shows to what impoverished condition the Lichchhavis must have been reduced in later times. This brings another instance to my mind. At Ghaṭiyālā in the Jodhpur State, Rājputānā, there were as many as twenty Jāgīrdārs, though it was an insignificant village, and it was therefore no wonder if some of them came to serve us when I was encamped there in January, 1907 (*Prog. Rep. Archæol. Surv., West Ind.*, 1906-7, p. 34). Yet they took pride in calling themselves Jāgīrdārs.

[2] Vol. I, p. 504.

[3] *Car. Lect.*, 1918, p. 149 and ff.

with an iron net so that not even a bird could get through, and a strong guard was set to prevent any one taking water from it. When and how many of the Lichchhavis at a time were crowned is not clear. But it seems probable that on the death of a Lichchhavi king it was his sons, succeeding to his title and property, who were crowned kings. This infromation of the Lichchhavis (Vṛijjis) of being in large numbers and composed of the old and young agrees well with the description given by Buddha at the beginning of the *Mahāparinibbāna-sutta*. The same text tells us that they carried out business together, which consisted in enacting nothing not already established, abrogating nothing already enacted, and acting in accordance with their ancient Institutions as established in former days. This points to the whole tribal body of the Vṛijjis, exercising the function of a legislative assembly. The Aṭṭhakathā and Sumangalavilāsinī, which are commentaries on the Buddhist Pali canon works, afford us some interesting glimpses into the manner in which Law was administered in their state. When a culprit was found, we are told, he was in the first place sent to an officer called Viniśchaya-Mahāmātra. If he was found guilty, he was transferred to the Vyavahārika, then to the Sūtradhara (Rehearser of Law maxims), Ashṭa-kulika (officer appointed over eight *kulas*), Senāpati (general), Uparāja (Viceroy), and finally to Rājan (king). The Rājan consulted the *Pavenipotthaka* or "book of precedents," and inflicted a suitable punishment.[1] Of these the Uparāja and

[1] Ibid., pp. 154-6.

Senāpati, we have seen, stayed with their Lichchhavi master in Vesāli along with the Bhāṇḍāgārika. These, being the superior officers, the Lichchhavi kings, kept with themselves in the capital town, leaving in their respective patrimonies their subordinate staff, such as the Viniśchaya-Mahāmātra, Vyavahārika and so forth.

It will be seen that the Gaṇa was a tribal oligarchy, a federation of clans. What appears to be the case is that each clan had its separate autonomy, corresponding to the *kula-saṁgha* of the second type adverted to above, and that all clans formed themselves into a tribal Saṁgha or confederacy for self-preservation and common tribal good. This is what, I think, we have to understand by a Gaṇa. There were many Gaṇas spread all over India, especially North India. Kauṭalya, we have seen, mentions eight of them. Of these, two were settled in East India. They are the Lichchhavis or Vṛijikas and the Mallas. The former held Videha and parts of Kosala and had their capital at Vesāli, which has been identified with Basaṛh in the Muzaffarpur District of Behar. The capital of the Mallas was Kusinārā or Kasia in U. P., thirty-seven miles east of Gorakhpur. Of the remaining five the Kurus were settled round about Indraprastha near Delhi, and the Pañchālas round about Kampilya or Kampil between Budaon and Farrukhabad in U. P. The Madrakas occupied the country between the Rāvī and the Chenāb in the Panjāb. There thus remain the Kukuras and the Vṛishṇis. The former were descendants of Kukura, son of Andhaka Mahā-Bhoja, and must therefore

have been known also as Andhakas and Bhojas.[1] Vṛishṇis were the descendants of Vṛishṇi, younger brother of Andhaka. It appears from a passage in the Mahābhārata[2] that both these clans which are there called Andhaka-Vṛishṇis formed one Saṁgha—conclusion which is supported also by a Sūtra of Pāṇini, and that whereas Kṛishṇa as a Saṁgha-mukhya or Chief represented the Vṛishṇis, Babhru and Ugrasena represented the Andhakas. We are further informed that these clans included the Yādavas, Kukuras, Bhojas and so forth, that they each consisted of the two divisions, *lokas* and *lokesvaras*, the people and the rulers, and that their joint rule was known by *rāja-sabda*, that is, it was a *rāja-sabdin* Saṁgha, as Kauṭalya would call it. From the Mahābhārata passage it is also clear that quarrels had arisen between the two parties even in the time of Kṛishṇa. And though they were quieted by him for the time being, it appears that they afterwards became so acute that the league was dissolved. This seems to be the reason why Kauṭalya speaks of the Kukuras and the Vṛishṇis spearately. That there was this divorce effected between the two may be seen from the fact that later, Vṛishṇis had their own coinage—coinage struck in the name of Vṛishṇi-rājanya-Gaṇa[3] alone, without any reference to the Kukura or Andhaka clan. Coins of other Gaṇas also are known, such as of the Mālavas, Yaudheyas,

[1] F. E. Pargiter's *Anc. Ind. His. Tradition*, pp. 105-7.
[2] *Śāntiparvan*, Chap. 81.
[3] *J.R.A.S.*, 1900, pp. 420-1.

and so forth, but in the legends on them they are, as a rule, referred to simply as the Mālavas and the Yaudheyas, but sometimes with the political designation Gaṇa. But in no case does the phrase *rājanya-gaṇa* occur as on the coins of the Vṛishṇis. What could be the significance of the term *rājanya* prefixed to Gaṇa here? Some interesting light is thrown on this point by Pāṇini's Sūtra referred to above, namely, *rājanya-bahuvachna-dvandve*=(A)*ndhaka-Vṛishnishu* (VI. 2.34). The insertion of the word *rājanya* in this aphorism clearly shows that there were some members of the Andhaka and Vṛishṇi groups who were not *rājanyas*. Now the term *rājanya* has been explained in the Amarakosha by *murdhābhishikta,* which signified 'a consecrated king.' Evidently this means that the Andhakas and the Vrishṇis contained amongst them some who were not Kshatriya scions of crowned kings, that is, they contained *lokas* as well as *lokesvaras,* to borrow the expression of the Mahābhārata passage adverted to above. But as Gaṇa is composed of Kshatriyas who could become kings, it was thought necessary to insert the word *rājanya* after Vṛishṇi on the coins, in order to exclude the proletariat.

The Greek historians who wrote accounts of Alexander's invasion of India make mention of several Saṁghas and even offer remarks in the case of some in regard to their constitution. One such tribe in the Punjab may be noticed here. It was settled on the lower Chenāb called Sambastai by Diodorus and Sabarcae by Curtius. In regard to this people they say that they were a powerful

Indian tribe, obeying their elders and dwelling in cities where the form of government was democratic and not regal.[1] This means apparently that the tribe was divided into a number of clans, each one of which stayed in its own city and ruled according to the Kula democratic form. We are not here told that the different clans united themselves into a Gaṇa, dwelling in one single capital town for the common weal of the federation. If this Greek account is not untrustworthy, it points perhaps to a state of things which prevailed before the various clans of the Sambastai or Sabarcae tribe formed themselves into a Gaṇa confederacy.

It deserves to be noticed that some of the Gaṇas noted above were originally monarchical in form. Such were, for instance, the Kurus and Pañchālas in the sixth and fifth centuries before Christ. The Jātakas in early Pāli literature clearly give us to understand that they were not *Saṁgha* but *ekarāja* Kshatriya tribes, that is, tribes each governed by one ruler.[2] Though they were thus originally monarchical, they seem to have become oligarchic in the fourth century B.C. when Kauṭalya lived. What may have happened is that at one time in the history of this clan the sovereignty came to be divided equally among the members of the royal family as was the case with the sons of Kālāśoka of the Siśunāga dynasty and that each one of these brothers may have developed a separate clan in his own name. The political power thus

[1] J. W. Mc. Crindle's *Ancient India: Its Invasion by Alexander the Great*, pp. 252 and 292.

[2] *Car. Lect.*, 1918, p. 164 and ff.

came to be centred in the hands of a few families who ultimately constituted the Gaṇa. Another instance of a monarchical tribe, becoming non-monarchical in form, is furnished by the Yaudheyas who seem to have occupied the Eastern Panjab. It is well-known that the Yaudheyas are spoken of by Pāṇini as an *āyudha-jīvin* Saṁgha, 'a corporation subsisting on arms.' But then from his Sūtra IV.I.178 it is clear that they were one of the very few *āyudha-jīvin* tribes which had a political character and that, in this particular, they had a monarchical constitution. About the beginning of the Christian era, however, they seem to have acquired greater political power and also glided into a Gaṇa. Of the Yaudheyas we have not only coins ranging between 50 and 350 A.D., but also an inscription found at Bijayagaḍh near Byānā in the Bharatpur State.[1] Though this is but a fragment, enough of it has been preserved to show that it is a record of one who was Mahārāja and Mahāsenāpati and also a leader (*puraskṛita*) of the Yaudheya Gaṇa. The title Mahārāja must have belonged to him as a mere member of the Gaṇa. But, as the designation Mahāsenāpati shows, he must have been elected their general and remained so in the year 371 A.D., the date of the inscription. And as the word *puraskṛita* indicates, this Gaṇa did not reserve the executive power to its whole self, but delegated it to a cabinet of Mukhyas. As the Yaudheyas were an *āyudha-jīvin* Saṁgha and developed their fighting qualities to such an extent as to adopt the epithet of *vīra*, as is clear from the Junāgaḍh inscription of

[1] *Corp. Inscr. Ind.*, Vol. III, p. 252.

Rudradāman,[1] it is intelligible that he who was their Senāpati should particularly be looked upon as a leader.

The name of the tribal oligarchy, as we have seen, is Gaṇa. But the word Gaṇa does not seem to have acquired this exclusive sense before the first century B.C. The earliest instance of the use of this term in this specific sense is furnished by the coins of the Mālavas, which contained this word in this sense in the legends. If we, however, go to an earlier period, we find that the terms *Saṁgha* and *Gaṇa* have been used synonymously to denote 'a corporation in general.' The word, that seems to have been employed specifically to denote the tribal oligarchy prior to the Christian era, was Pūga, which, for instance, is met with in Pāṇini V.3.112. In the Dharmasūtras and the Dharmaśāstras, Pūga and Gaṇa have been used perfectly synonymously. That Pūga was possessed of some political character is shown by the Vinayapiṭaka laying down that no female thief shall be consecrated as nun without the permission of the Pūga if she happens to fall within its jurisdiction.[2] Again, if we consider carefully the passage from the Aṅguttara-Nikāya referred to above, we shall find that the ruler of a higher order than the Chief of a Kula is therein specified to be the Pūga-gāmaṇika, which the commentator explains by Gaṇa-jeṭṭhaka (Chief of a Gaṇa). No reasonable doubt need therefore be entertained as to Pūga being used in earlier

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[1] *Ep. Ind.*, Vol. VIII, p. 44, ll. 11-2.

[2] *Bhikkhuni-Pātimokkha*, saṃghādidesa, 2.

times to denote the tribal oligarchy for which in later times the word *Gaṇa* was specifically used.

We do not know to what earliest period the existence of this political Saṁgha can be traced. There is however a hymn in the Rigveda[1] which says: "As the kings (*rājānah*) assemble together in the Samiti, the plants (*oshadhi*) gather together in him who is called a physician, one who heals disease and destroys demon." This hymn seems to refer to the rule of a State, not by a single king but by several. There are passages even in the Atharva-Veda which refer to the members of an oligarchy.[2] As Gaṇa is a system of government which is tribal in character, it is not at all impossible that it may have come down from the Rigvedic period. But as we are not treading here quite on *terra firma*, we shall not lay much stress upon it. As regards the late period up to which the Gaṇa form of state persisted, we may here note the fact that Varāhamihira, who flourished[3] in the sixth century A.D., speaks in his work entitled *Bṛihatsamhitā* not only of Gaṇa-rājyas, that is, kingdoms of the tribal Gaṇas in Southern India, but also of Gaṇa-Pungavas or Heads of Gaṇas such as the Mālavas, Kaulindas and Sibis.

Side by side with Gaṇa or tribal oligarchy, there were other forms of the political Saṁgha flourishing in Ancient India. We have in this connection to take note of a twofold kind of democracy, one styled Nigama which was confined to a town and was

[1] X, 9. 16.

[2] Zimmer's *Alt Indischen Leben*, pp. 165 and 176.

[3] Chap. IV, c. 24; Chap. XIV, v. 14.

a citizens' democracy, and the other Janapada which extended over a province and was tribal in character. We are not here referring to the power which the people of towns and provinces, called Paura and Janapada respectively, sometimes wielded in the administration of a country, and which is often alluded to in the epics, law books and epigraphic records, but which was seldom of a political character. We are here referring to those cities and countries, which enjoyed political autonomy as attested, for instance, by the coins they issued. Long, long ago Sir Alexander Cunningham picked up some coins from the Punjab, which were nearly of the time of Alexander. Bühler was the first to point out that they had on the obverse the word *negamā* and on the reverse various names, such as Dojaka, Tālimata, Atakatakā and so forth.[1] Bühler rightly took *negamā* to stand for the Sanskrit *naigamāh*, but wrongly understood it in the sense of 'a guild.' The word *naigamāh* may mean 'traders' or 'merchants,' but never 'a guild,' for which we have the term *sreṇi*. It is natural to take this word in the sense of 'a body of citizens' for which we have the authority of the works on Hindu law. The Nārada-Smṛiti specifies organizations such as the Naigamas, Srenis, Gaṇas and so forth ; and this term *naigama* has been explained as *paurāh* or citizens. The law-giver Yājñavalkya too speaks of Naigamas side by side with Sreṇis, Pāshaṇḍis and Gaṇas, and the commentary Bālambhaṭṭi explains it by *nānā-paura-samuhāh*, that is, aggregations of the manifold citizens. No doubt need, therefore, be entertained as to the coins of Sir

[1] Car. Lect., 1918, p. 175 ff; 1921, p. 6.

Alexander Cunningham being the civic coins struck by the people of the cities of Dojaka, Tālimata and so forth. This no doubt reminds us of similar coinages of the Phocœa, Cyzicus and other Greek cities, and further points to the fact that the Naigama or civic autonomy was as conspicuous among the Hindus of the old Panjab as among the Greeks on the western coast of Asia Minor. That a province autonomy, or Janapada as it was called, was not unknown to India is clear also from a study of coins. Thus we have one type[1] bearing the legend: *rājana-janapadasa*=(coin) of the Rājanya people. Rājanya here does not signify a Kshatriya or the Rajput title Rāṇā, as is generally supposed, but rather, a people named Rāṇā, such as the Rāṇās of the Punjab hills[2] or Rāṇās of the Goa territory. The second class of coins, we may note, contains the legend: *Majhimikaya Sibi-janapadasa*=(coin) of the Sibi people of the Madhyamikā (country). There were two peoples of the name of Sibi, one in the Panjab and the other in south-east Rājputānā. The latter have thus been distinguished from the former by the specification of their country Madhyamikā the province round about Nagarī in Mewāṛ, Rājputānā. As issuing coins is an indication of political power, this Janapada may rightly be considered as a democracy and hence one distinct form of the political Saṁgha. The existence of the Janapada State in India is traceable to a still earlier period. Thus in the Aitreya-Brāhmṇa we have a passage which

[1] Ibid., 1918, pp. 172-4; 1921, p. 7.

[2] J.R.A.S., 1907, p. 409; 1908, pp. 540-1. J. Ph. Vogel's *Antiquities of Chamba State*, Pt. I, p. 110 f.

refers to the different forms of kingly power. This we have considered above. There we are told that the kings of the Prāchyas, of the Satvats, and so on, are, when crowned, designated respectively Samrājs, Bhojas, and so forth. But that the Janapadas called the Uttara-Kurus and Uttara-Madras are styled *Virājāh* when they are consecrated to sovereignty.[1] Janapada is here contrasted with Rājan, and must therefore denote a country democracy. And it is quite possible that the title *Virājāh* mentioned above must be taken to mean 'kingless, without king,' as was first pointed out by Martin Haug. But as Rājanyas, Sibis, Kurus and Madras are names of tribes, the Janapadas represented by them seem to be tribal democracies.

We thus perceive that there were many types of republics in Ancient India, tribal and civic, and it may now be asked: what was the procedure which governed their deliberations. It is a pity that no treatise of polity, or, for the matter of that, no work of literature exists which has preserved for us either the constitution or the rules of debate which controlled these political corporations. Fortunately for us we have some rules preserved for the Buddhist Saṁgha in the Vinaya Piṭaka. This code of procedure must have been the same for all Saṁghas, whether political, commercial or religious. Let us therefore try and understand what the set of rules was for the Buddhist Saṁgha. The first point to note

[1] What is meant by the coronation of the Janapada democracies? Probably it refers to the consecration of their Presidents when elected.

is the order of precedence according to which seats were assigned to the Bhikshus.[1] There was a special officer Asana-prajñāpaka, whose duty was to see that they received seats according to their dignity and seniority. The deliberations are commenced by a mover who announces to the assembled members what motion he is going to propose. This announcement is called Jñapti. Then comes the second part of the procedure which consists in putting the question to the Saṁgha whether they approved the motion. It may be put once or thrice. In the former case the Karma or formal act is called Jñapti-dvitīya, and in the latter. Jñapti-chaturtha. We will give an instance to explain what it means, and quote it from the Mahāvagga. Buddha lays down the following rule in regard to the Upasṁpadā ordination. "Let a learned competent Bhikkhu," says he, "proclaim the following natti before the Saṁgha:

"Let the Saṁgha, reverend Sirs, hear me. This person N.N. desires to receive the upasaṁpadā ordination from the venerable N.N. (i.e. with the venerable N.N. as his upajjhāya). If the Saṁgha is ready, let the Saṁgha confer on N.N. the Upasaṃpadā ordination with N.N. as upajjhāya. This is the natti." Now what follows is Karmavāchā, which is placing the motion before the Saṁgha for discussion and execution (Karma), and is in every case accompanied by the formal repetition of the Jñapti (Natti). In the present case the Karmavāchā is repeated thrice. I therefore quote here what follows.

[1] *Car. Lect.*, 1918, p. 180 and ff.

"Let the Saṁgha, reverend Sirs, hear me. This person N.N. desires to receive the upasampadā ordination from the venerable N.N. The Saṁgha confers on N.N. the upasaṁpadā ordination with N.N. as upajjhāya. Let any one of the venerable brethren who is in favour of the upasaṁpadā ordination of N.N. as upajjhāya be silent, and any one who is not in favour of it speak.

"And for the second time I thus speak to you: Let the Saṁgha (etc., as before).

"And for the third time I thus speak to you: Let the Saṁgha, etc.

"N. N. has received the upasaṁpadā ordination from the Saṁgha with N.N. as upajjhāya. The Saṁgha is in favour of it, therefore it is silent. Thus I understand."

It will be seen that the above motion has been thrice put to the assembly, and that we have here three Karmavāchās and one Jñapti. It is thus Jñapti-chaturtha Karma. A Karma or official act of the Saṁgha to be valid must comprise one Jñapti and one or three Karmavāchās. When a motion was placed before an assembly and all those who were present remained silent, it was said to be carried unanimously. But if any discussion or difference of opinion arose, the matter was decided by *Yebhuyyāsikā*, that is, the vote of the majority. This voting was by ballot, and was done by the distribution of tickets or *salākās* as they were called; and the Bhikshu who collected them was designated Salākāgahāpaka. If any member of the Saṁgha was too ill or disabled in any other way to attend a meeting,

he could give an absentee vote known as Chhanda. Nay, if it was feared that enough Bhikshus might not be forthcoming for any particular meeting, they secured the necessary quorum by sending the Gaṇa-pūraka, who necessarily was the 'whip.' These details are enough to show that the code of rules, which regulated the business of the Assembly, was of a highly specialised and developed character, such as is observed by the political bodies of the modern civilised age. When I first expressed these views in 1918 in one of my Carmichael Lectures before the Calcutta University, I was afraid that they would not be regarded as sober and cautious conclusions, but rather as prompted by a patriotic bias. Fortunately for me, no less a statesman and scholar than Lord Ronaldshay thinks that I have handled this topic not only in an interesting but also in a scholarly manner, and agrees that "the description of the procedure given in the Buddhist books shows how remarkable is the resemblance between that of the assemblies of two thousand five hundred years ago and of those of the present day."[1] What is noteworthy is that practically none of the terms technical to Saṁgha debate have been anywhere explained by Buddha. Had he himself been the inventor of them, it would have been imperatively necessary for him to explain their meaning *in extenso*. Evidently he borrowed these terms, which were already well-known in his time and which therefore called for no explanation. There can, therefore, be no doubt that the various technical terms and rules of procedure which the

[1] *India: A Bird's Eye View*, p. 34.

Buddha adopted for his religious Saṁgha were those which were already in vogue with the institutions of a democratic type, whether political, municipal or commercial, for the transaction of their business.

LECTURE V.

Origin of the State.

We have seen what conception the Hindus of Ancient India had of the State, its nature and types; and we shall now examine what theories they formed in regard to its origin. Kauṭalya, we have seen, observes in one place that *rājā rājyam=iti prakṛiti-saṁkshepaḥ*, that is, the *prakṛitis*, put in a nutshell, mean: 'the king is the State.' The king, being the soul of the body politic, thus represents the State. The Hindus seem to have hardly developed any republican form of political government which was not tribal in character. This is the reason why monarchy was the norm of the State according to almost all the political thinkers of Ancient India. When we, therefore, have to consider the various theories propounded about the origin of the State, they are really theories about the origin of kingship. Then again we have to remember that no work on Hindu polity prior to the age of Kauṭalya has been recovered. There must have been systematic treatises of an earlier age setting forth these theories with fullness and self-consistency. Kauṭalya's Arthaśāstra, however, as we have seen, aims at handling the practical side of politics, that is, acquisition and administration of a kingdom, and refers to theoretical discussions only by the way and very briefly. Similarly, we have such works as the Brāhmaṇas, and some parts of the Buddhist literature, which throw occasional lights on

VIII. 12 (Haug's text, Vol. I, p. 201; trans., Vol. II, pp. 514-5).

such matters. But we have the Mahābhārata which throws a somewhat greater light on the subject. We have here not only multifarious theories, but also somewhat fuller details of each. But even these cannot be reasonably expected to approach the character of a system. Nevertheless, it is not only interesting but highly profitable that such scattered rays as have been incidentally emitted by these works should be brought to a focus. When these scraps of information are pieced together, they will be found to fling an agreeable surprise on us, because they contain many elements which are supposed to have been first thought of and developed by the political thinkers of the west. Here too it has to be borne in mind that these resemblances are traceable, not *in toto*, but only in some (though important) elements.

The earliest discussion about the king's origin that is traceable is contained in the Brāhmaṇas. The subject in hand in these Vedic compositions is: the sovereignty of Indra. But man makes gods after his own image, and consequently the celestial sovereignty of the divine Indra was but a reflex of the earthly sovereignty of the human king. Thus the Aitareya Brāhmaṇa has the following about Indra when it treats of the Mahā bhisheka ceremony: "The gods, headed by Prajāpati, said to one another (pointing with their hands to Indra): 'this one is among the gods the most vigorous, most strong, most valiant, most perfect, who carries out best any work (to be done). Let us install him (to the kingship over us).' They all consented to perform just this ceremony (*mahābhisheka*) on Indra." This

is the passage we have from the Aitareya Brāhmaṇa in regard to the origin of Indra's sovereignty. Indra, it is clear, derived this sovereignty from the election of the gods, Prajāpati, being one, though the chief, of these electors. This bears resemblance to the social contract theory of the western political thinkers, in that he was elected to kingship by the class of beings to which he belonged. The most important feature, however, of the theory is conspicuous by its absence, namely, the governmental pact entered into by both the parties. So this is a theory of social contract which is yet in an inchoate condition and has not become full-fledged. As regards the other account of the origin of Indra's kingship, it occurs in the Taittirīya Brāhmaṇa. There we are told that Prajāpati created Indra as the youngest (in years) among the gods, and sent him to the celestial world, saying: 'Be thou the lord of these gods.' The gods asked: 'Who art thou ? We indeed are superior to thee.' Indra returned, and informed Prajāpati of what they had said now at that time there was on Prajāpati that lustre (*haras*) which is found in the sun. 'Give this to me,' said Indra, 'so that I may become the lord of these gods.' 'And what (*kaḥ*) shall I be on giving this ?' interrogated Prajāpati. 'Remain this (that is, *kaḥ*) which thou hast uttered,' rejoined Indra. They know him by great name who know that Ka is, indeed, Prajāpati.[1] Here it will be seen that Indra owes his sovereign position entirely to the will of Prajāpati, and is even endowed with his lustre. The notion of kingship involved in this account thus

[1] *Taittirīya-Brāhmaṇa*, II, 2, 10, 1-2.

tallies pretty closely with the theory of the divine origin of sovereignty, as we shall see presently.

It will thus be seen that both the conceptions of the origin of kingship had been to some extent evolved even so early as the time of the Brāhmaṇas. It is not, however, possible to trace the germs of any one of them to an earlier period. It is true that there are texts in the Vedic Saṁhitās where kings have been identified with one or another of the Vedic deities. But, in the first place, none of them had acquired the position of Supreme God as Prajāpati did in the Brāhmaṇa period or Vishṇu in the epic, as we shall see shortly. Again, a king obtained the identity of a god, not as king, but as the performer of a sacrifice. And in fact, such a perfomance conferred this unique exaltation on any sacrificer, be he a Rājanya, a Brāhmaṇ or even a Vaiśya.

Very little of political thought is traceable in Buddhist literature, whose main object was not to expatiate on things mundane, but rather to describe whatever contributed to the spiritual growth of an individual. The Dīgha-Nikāya of the Southern Buddhists, however, gives the story about the origin of monarchy in its description of the origin of the world. Practically the same story, either in full or in an abbreviated form, we find repeated not only in the Mahāvastu, a canonical work of the Northern Buddhists, but also in the post-canonical literature of such widely separated countries as Ceylon, Burma, and Tibet. The story in the Dīgha-Nikāya, which is called the *Aggaññasuttanta* or a book of Genesis[1] shows

[1] Rhys Davids' *Sacred Books of the Buddhists*, Vol. IV, p. 77 and ff.

that the sovereignty originated in a social contract. To begin with, human beings, we are told, were made of mind, and were self-luminous. They fed on rapture, and traversed the air in abiding loveliness. Sooner or later the savoury earth had arisen over the waters. Colour it had, and odour and taste. They set to work to make the earth into lumps and feast on it. As they did so, their self-luminance vanished away; and the sun, the moon, the stars, night and day, the months, the seasons and the airs became manifest. They continued, however, enjoying the savoury earth. Sooner or later, evil and immoral customs became rife among them, and the savoury earth disappeared. Then the outgrowth of the soil and the creepers appeared, and they lost each in succession through their evil and immoral customs. Lastly, apppeared rice without powder, without husk, which they took away every evening only for it to grow ripe again the next morning. But from evil and immoral customs powder and husk enveloped the clean grain, and where they reaped there was no re-growth now. There was thus a break, and the rice-stubble stood in clumps. They then divided off the rice fields, and set up boundaries round them. Now, some being of greedy disposition, watching over his own plot, stole and made use of another plot. They caught and reprimanded him. A second time he did so; and yet a third. They now took him and smote him with the hand, with clods, and with sticks. In this manner theft, lying, reviling, and assaulting made their appearance. Thereupon those beings gathered themselves together, and, after taking counsel, selected the most hand-

some, gracious and capable individual from amongst them, addressing him thus: "Come now, good being, do punish, revile and exile those who well deserve to be punished, reviled and exiled. We will contribute to you a proportion of our rice." He consented and did so; and they gave him a proportion of their rice. Because he was chosen by the whole people (*mahājana-saṁmata*), he was called Mahā-saṁmata (the Great Elect). Because he was the lord of the fields (*khettānaṁ patīti*) he was called Kshatriya (Noble). And because he delighted others by observing the established law (*dhaṁmena pare rañjetīti*), he was called Rājan.

Let us now consider the leading features of this theory. The first in importance, of course, is the contract between the king and the people, the second is the state of society immediately preceding it, and the third is the state of nature. As regards the first of these items, there can be no doubt that there was a governmental compact according to this story. The Kshatriya or Rājan, who denotes the ruler, was *mahā-saṁmata*, or actually elected by the people, to censure and banish those who deserved to be censured and banished. For this they promised to pay him a portion of their paddy. That this was not a one-sided contract is clear from the fact that the ruler so elected consented to do this duty, and actually received a portion of rice from them. There can thus be absolutely no doubt as to this being a governmental compact. But what was the state of things before the king was elected and authority transferred to him? From here the story does not present any features,

having any close correspondence to those of the Western Theory. For according to the story, men no doubt appear to be living in aggregation, but whether they had framed an actual code of laws for the preservation of their society is not clear. We are simply told that the rice fields belonging to one man were demarcated from those pertaining to another, and that when, inspite of this setting up of boundaries, one man encroached upon the plot of another, he was at first admonished but afterwards seized and beaten. This cannot be taken as indicating that there was in existence any definite code of law which they drew up for the purpose. This rather points to their following general principles which were inherent in human nature itself. In other words, it bears some resemblance to Locke's state of nature. There is thus no clear evidence that there was any social compact which preceded the governmental compact. The third part of the story relates to the formation of the human beings and the worldly objects. There was nothing vile, sordid or corrupt about them to begin with. This was the state of nature before any society or government was organised, which was therefore one of peace and freedom. During this period they do not seem to have been subject to any laws of human creation or enforcement. But be it noted that they could hardly be called human beings in this their original condition, as they were all made of mind and were self-luminous.

It is necessary to remember in this connection that there will scarcely be found any theory propounded in Hindu books of polity and scriptures

which will be exactly identical with the Social Contract theory of the Western theorists in all its three essential factors. Sometimes one, and sometimes two, of these factors are traceable, but nowhere in the Mahābhārata, Purāṇa or Arthaśāstra has been found any Hindu theory which is exactly co-extensive with that of the West in all respects. This difference is natural and even desirable, because the Hindu mind worked in different environments and in a different direction. But what seems to be a most important thing here to insist upon is that there should be clear evidence of a governmental compact drawn up between the two parties, that is, between the people and the the ruler elected. In this respect the story of the Dīgha-Nikāya entirely agrees and indicates a great advance upon the account of the origin of kingship furnished by the Aitareya Brāhmaṇa. The latter stops with the election of the king, and gives us no inkling as to the formation of any contract. The story of the Dīgha-Nikāya, however, unmistakably indicates that there was this contract between the king elected, that is, Mahāsammata, and the people.

Let us now turn to the Mahābhārata, and see what further notions of kingship are found propounded in it. It is true that the final recasting of the Mahābhārata has been attributed to the 4th century A.D., if not later. Nevertheless, there are reasons to suppose that most of these theories were probably broached before the time of Kauṭalya. What these reasons are will be specified in their due place. But as we have just discussed the Social Contract theory, we shall try to see first what sort of theory on this subject

has been mentioned in the Mahābhārata. Strangely enough, there is only one theory found in this work, encyclopaedic though it is, which refers to the Social Contract. It is narrated in Chapter 67 of the Śānti-parvan. In this Chapter is found the following stanza :—

etay-opamayā dhīrah saṁnameta balīyase
Indraya sa praṇamate namate yo balīyase

which, as we have seen in Lecture I, may safely be taken as being of Bhāradvāja's composition. It may not be, therefore, unreasonable to hold that the view set forth in this Chapter is that originally promulgated by this Hindu theorist.

Let us now see what this view exactly is. Formerly men, we are told, being without a king, met with destruction, devouring one another like fish in water. They then assembled together, made certain compacts (*samyāḥ*) for inspiring confidence among all classes of the people, and lived for some time. This was, however, soon found unbearable, and they proceeded to Brahmā in a body (*sahitāḥ*), saying "Without a king, oh divine lord, we are going to destruction. Appoint some one as our king. All of us shall worship him, and he shall protect us." Thus solicited, Brahmā pointed to Manu, but Manu would not assent to the proposal. "I fear," said he, "all sinful acts. To govern a kingdom is exceedingly difficult, especially among men who are always false and deceitful in their behaviour." But the men said unto Manu: "Don't fear, the sins that men commit will touch those only that commit them. For the increase of your treasury, we will give you a fiftieth part of our

animals and precious metals and a tenth part of our grains. A fourth part of the merit which men will earn under your protection will also be yours. Sterngthened by that merit so easily obtained by you, do you protect us, oh king, like Indra protecting the deities." Thus addressed, Manu agreed and, *he made his round through the world, checking sins everywhere and setting all men to their respective duties.* Thus we are told that those men on earth who desire prosperity should first elect and crown a king for the protection of all.

Let us now examine the principal constituents of this theory. Human beings, we learn, were fighting with one another, by each person taking for himself all that he could. The state of nature was therefore a state of war, which was, for the time being, silenced by men drawing up a Social Compact which ensured peace and amity for some time. Soon after, however, confusion arose again, and they were compelled to give their liberty into the hands of a sovereign by means of the governmental compact. It is scarcely necessary to add that this view of the origin of the State bears a remarkably close correspondence with that propounded by Hobbes, as it agrees with it in all its three main factors. This, therefore, perhaps is the only Hindu theory, which practically harmonizes with that of a Western theorist. It is true, there are some points of difference even here, but they are not of much consequence. Thus before the governmental compact was negotiated for, the human beings, we are told, had gone to the god, Brahmā, beseeching him to appoint some one to rule over them, whereupon Brahmā,

we are told, pointed out Manu. There is, no doubt, this new element introduced into the theory, which gives the impression that the king was of divine creation. But this is a mistake, because, as a matter of fact, Manu refused to be the king when addressed by Brahmā, and cannot possibly be taken as being ordained as king by that god. And if afterwards Manu was prevailed upon to become the ruler, it was the result of successful negotiations with him by the people themselves, which alone culminated in the formation of the Social Contract. Similarly, it is true that the human beings were ready to absolve him from the responsibility for their sins, but that does not mean that this was a one-sided contract. For Manu agrees to give and actually gave protection in lieu of the tenth part of the grain and the fiftieth part of the merchandise promised by them. And we are distinctly told that he made a tour round the world, setting people to their proper duties and thus checking sins everywhere. It is thus clear that Manu after all had to perform, as a stipulation of the Contract on his side, some duty, namely, the duty of protection, which was all that the human beings had wanted and which was the sole object with which they were seeking for a king.

Let us pause here for a while and turn more attention to the second factor of the Social Contract Theory, namely, Social Compact. Chapter II of the Bhīshmaparvan gives us a picture of the people of Saka-dvīpa which is very interesting at the persent stage of our enquiry. The same picture we find depicted in Chapter 49 of the Vāyu and Chapter 122

of the Matsya Purāṇa. The description contained in the Vāyu is perhaps the most lucid and succinct. translation of the important verses may, therefore, be given here:

"And there is no mixture amongst them caused in social (*varnṇa*) or religious orders (*āsrama*). And through non-derviation from law (*dharma*) the people are intensely happy. There is no greed or deceit amongst them. How can there be any malice, fault-finding tendency or want of fortitude ?......Amongst them there is no levying of taxes, no chastising rod (*daṇda*), no chastiser (*daṇḍika*). Being conversant with law they protect one another by their own law (*dharma*) alone."

Whether Sāka-dvipa was a real or fabulous country, and whether there was this system of goverment actually prevalent amongst its people, may perhaps be doubted. But it is difficult to avoid the conclusion that here we are furnished with an example of a community the members of which lived in amity and peace apparently in accordance with some Social Compact which they had drawn up. This can scarcely be called a republic, because there was no *dadṇa*, no *dandika*.

In Chapter 72 of the Sāntiparvan, we are introduced to a dialogue between king Purūravas and the Wind-god Mātariśvan. The greater portion of this chapter is devoted to the glorification of the Brāhmaṇs and the honours which other castes ought to shower on them. But just at the end of the chapter the Wind-god pithily sums up for Purūravas the duties of a king as follows: "He who dispels fears obtains

great merit. There is no gift in the three worlds, comparable to the gift of life. The king is Indra. The king is Yama. Similarly the king is Dharma. The king assumes (different) forms. The king sustains and supports this whole (world)." Here evidently the king is not merely compared to he gods, but is actually called Indra, Yama and Dharma combined in one. This is another theory of the origin of kingship that we have to note. We are no doubt apt to be tempted to compare it with the theory of the Divine Origin of Kingship in the West. But we must be careful in using the term, 'divine,' which, according to the western theorists, always means that which belongs to Supreme God. Indra, Yama and Dharma cannot possibly be designated as such. For Indra and Yama are, after all, Regents of the Quarters, and Dharma, if not identifiable with Yama, was, no doubt, a deity that figures prominently in the Sūtra period. But none of these either separately or jointly can be called the Supreme Deity. The Sanskrit word *deva* can stand for both a minor deity or Supreme God, and when anything relating to, or coming from a *deva*, a minor deity though he may be, has to be expressed in English, we are compelled to use the word 'divine' which, strictly speaking, signifies 'emanating from or connected with Supreme God.' Perhaps it will be tetter to use the word 'superhuman' or 'quasi-divine' in this connection to denote an origin or connection with minor deities, reserving the word 'divine' to denote essence or relationship with Supreme God. We thus find that Chapter 72 of the Sāntiparvan suggests really the superhuman origin of kingship.

In between these two theories of the origin of kingship is that mentioned by Kauṭalya, which, curiously enough, combines the superhuman origin of kingship with that of the Social Contract. This theory he unfolds in connection with the desirability of finding out how the people are disposed towards the king. A king is thus instructed how to espy his subjects, whether in the capital town or the country, and counteract any discontent that may be created, fostered and circulated about him. He is, therefore, advised to send his spies to all places, where people congregate, and divide the former into two parties. A spy representing one party may be asked to say openly as follows : "We hear that this king is endowed with all good qualities. And no good quality is seen in him in as much as he oppresses citizens and provincials by levying fines and taxes." The (spy) speaker and those of the people who would applaud his view, we are told, should be opposed by a spy of the other party who should address them as follows : "People, afflicted with anarchy consequent upon the Mātsya-nyāya or the practice of the bigger fish swallowing the smaller, first elected Manu, son of Vivasvat, to be their king. They allotted one-sixth of their grain and one-tenth of their merchandise as his share. Subsisting on this wage, kings become capable of giving safety and security to their subjects and of removing their sins. Hence hermits also offer one-sixth of the grains gleaned by them, saying 'it is a share due to him who protects us.' (Again), the kings, being visible dispensers of punishments and rewards, are a notable dwelling-place of Indra and Yama. Whosoever set

them at naught are visited by superhuman (*daiva*) punishment also. Hence kings should never be despised."

It is not at all difficult here to differentiate between the two theories of the origin of kingship. So far as the story of Manu being elected king and his being allotted a portion of grains as his wage is concerned, the theory of the Social Contract is evidently alluded to. The original state of nature is here one of anarchy, and the subsequent governmental compact is intelligible enough though somewhat left implied. In fact, what Kauṭalya states so far is an epitome of what has been set forth in chapter 67 of the Sāntiparvan. But what follows this represents in some measure the idea of the superhuman character of the kings. The very fact that they are looked upon as an abode of Indra and Yama as specified in chapter 72 of the Sāntiparvan and the further belief that any disregard shown to them is visited with preternatural chastisement show clearly that here we have also a different element to take note of. And if we carefully read even chapter 67 of the Sāntiparvan where the story of Vaivasvata Manu has been detailed, we find one passage at the beginning of it which is interesting. It is true that it has been put in there almost incidentally and has no connection with the story, or even perhaps with its moral. Nevertheless it is of some importance, as it occurs in a chapter which sets forth the Hindu Theory of Social Contract. The passage is as follows: "The Srutis declare that in crowning a king, it is Indra that is crowned (in the person of the king). A person who is desirous

of prosperity should worship that king as he should worship Indra himself." This is exactly the popular view specified by Kauṭalya. The king, though he becomes the ruler under the social contract, comes on account of his sublime position to be backed up by the two Regents of the quarters and is thus endowed with a superhuman character. He thus becomes Devānām-priya or Beloved of the gods, which was no doubt the epithet borne by kings in the centuries immediately preceding the Christian era.

Let us now see how the theory of the quasidivine character of kingship was carried one step forward. This is clearly perceptible in chapter 68 of the Sānti-parvan, which treats of the discourse between Vasumanas, king of Kosala and Bṛihaspati. The chapter opens with a query which Yudhishṭhira puts to Bhīshma, namely, why the Brāhmaṇs have said that the king, who is the lord of men, is a god. Bhīshma answers by giving a short account of the discourse which Bṛihaspati delivered to Vasumanas on the subject. The former expatiates upon the horrors that arise when there is no king and when anarchy reigns supreme. "The duties of all men," says, he, "may be seen to have the root in the king. It is through fear of the king only that men do not devour one another." And he goes on dilating upon this subject till he comes to describe the personality of the king himself. "Who is there," continues he, "that will not worship him, in whose existence the people exist and in whose destruction the people are destroyed? That man who even thinks of doing an injury to the king, without doubt, meets with grief and fear and

goes to hell hereafter. No one should disregard the king by taking him for a man, for he is really a high divinity in human form." The last of these verses is: *na jātv-amantavyo manushya iti bhumipaḥ, mahatī devatā hy-eshā nara-rupena tishṭhati.* This is practically identical with verse 8 in Chapter VII of the Manu-smṛiti, which we shall discuss later on. But, to resume the thread of Bṛihaspati's discourse, "The king assumes five different forms according to five different occasions. He becomes Agni, Aditya, Mṛityu (Destroyer), Vaiśravaṇa (Kubera), and Yama. When the king, deceived by falsehood, burns with his fierce energy the sinful offender before him, he is then said to assume the form of Agni. When he observes through his spies the acts of all persons and thus what is for the general good, he is then said to assume the form of Aditya. When he destroys in wrath hundreds of wicked men with their sons, grandsons and relatives, he is then said to assume the form of Mṛityu (Destroyer). When he restrains the wicked by inflicting upon them severe punishments and favours the righteous by bestowing rewards upon them, he is then said to assume the form of Yama. When he gratifies with profuse gifts of wealth those that have rendered him valuable services, and snatches away the wealth and precious stones of those that have offended him, indeed, when he bestows prosperity upon some and takes it away from others, he is then, oh king, said to assume the form of Kubera on earth". Then we are told that no person who is possessed of cleverness should ever spread evil reports about the king. Fire, being

impelled by the wind and thus blazing forth among articles inflammable, may leave a remnant, but the wrath of the king leaves nothing to the person that incurs it.

Now, what do we gather from the epitome just given of the discourse of Bṛihaspati on the origin of kingship? The chapter itself, as we have seen, begins with the query: why the Brāhmaṇs have said that the king, who is the lord of men, is a god. This is an important point to remember. It consists of two parts. First, that the king is a god and the second that the Brāhmaṇs have said so. It is thus clear that the Brāhmaṇs were in no way opposed to the doctrine that the king was a god. What sort of god he is has been well described by Bṛihaspati. Here the king has been compared to Fire, the Sun, Death, Kubera and Yama. And we are told in what respects he resembles each one of these deities. But be it noted that he is nowhere said by Bṛihaspati to be an abode of one or more of these gods, but on the contrary, asserted to be a mighty deity in human form. He is thus not a *devānām-priya* but rather a *deva*, whose function is manifold and who performs duties, not of one single, but of as many as five, deities, three of whom alone are the Regents of the Quarters. This represents one step in advance in the development of the notion regarding the superhuman origin of kingship. To put it briefly, the king is represented to be not the abode of any gods, but rather a god himself. We must, however, remember that the king has yet been in no way connected with the Supreme God.

Perhaps one step further in this direction is represented by the theory propounded by Manu. Manu adopts practically the view which Bṛihaspati enunciates to Vasumanas, and, in fact, one of the verses contained in the latter, we have seen, is found in the *Manu-Smṛiti* also, with a slight change. That verse, so far as the latter work is concerned, is as follows: "A king, though an infant, must not be despised, because he looks a human being; verily, he is a great deity in human form". How the king is looked upon as a deity is explained by Manu almost in the same manner as Bṛihaspati has done. "Through his (supernatural) powers," says Manu, "he is Fire and Wind, he, Sun and Moon, he, Yama, he, Kubera, he, Varuṇa, he, great Indra. Fire burns one man only, if he carelessly approaches it; the fire of a king's (anger) consumes the (whole) family, together with its cattle and its hoard of property. He, in whose favour resides Padmā, the goddess of fortune, in whose valour dwells victory, in whose anger abides death, is formed of the luster of all (gods). The (man), who in his exceeding folly, hates him, will doubtless perish; for the king quickly makes up his mind to destroy such (a man)."[1] It is thus clear that this view of Manu is practically identical with that of Bṛihaspati. But he adds just a new point to it. As there was no king, says Manu, creatures dispersed in all directions; and for their protection the Supreme Lord created a king, taking for that purpose the eternal particles of Indra, Wind, Yama, the Sun, Fire, Varuṇa, the Moon, and Kubera, who are all except one the Regents

[1] Cf. *Nārada-smriti*, Cap. XVIII, v. 26 and ff.

of the Quarters. And further, Manu tells us, just because a king has been formed of the particles of these gods, he surpasses all created beings in lustre and nobody on earth can gaze on him. This is a new feature which we find added by Manu apparently to Bṛihaspati's theory of the origin of kingship. According to the latter the king is merely a deity. But Manu holds that the king is not only a deity but also a creation of the Supreme God. For the first time therefore we find a trace of the real divine origin of kingship similar to that propounded by the Western thinkers.

It may now be asked whether the Hindu mind stopped here or whether it developed still further this notion of the divine origin of the king. We have therefore to take cognisance of another theory propounded in Chapter 59 of the Sāntiparvan. Yudhishṭhira begins by asking Bhīshma a most sensible question. "Whence arose the word '*rājan*'", he interrogates, "which is used on earth? Possessed of hands, arms and neck like others, having an understanding and senses like hose of tothers, subject like others to the same kinds of joy and grief, in fact, similar to others in respect of all the attributes of humanity, for what reason does one man, namely, the king, govern the rest of the world? Why do all men seek to obtain his favour?" This was the question asked by Yudhishṭhira. To this Bhīshma gives the following reply: In the Kṛita age there was no state (*rājya*), no king, no chastisement (*daṇḍa*), *no chastiser*. All men used to protect one another according to Law (*Dharma*). Soon after, they were assailed by *moha*

infatuation. And in its train followed *lobha*, greed, wrath and *rāga* or unrestrained sexual indulgence. Confusion thus set in, and the Vedas (Brāhmaṇas) and Law (*Dharma*) were lost. The gods were overcome with fear, and repaired to the god Brahmā. "Oh Lord of the three Worlds," said they, "we are about to descend to the level of the human beings. Men used to pour upwards, while we used to pour downward. In consequence, however, of the cessation of all pious rites among men, great distress will be our lot." Thus addressed the god composed a treatise consisting of a hundred thousand chapters and treating of *dharma, artha, kāma and moksha,* to which we have already referred in Lecture I. The gods then approached Vishṇu, the lord of creation (*prajāpati*), and said unto him—"Indicate, O god, that one among mortals who deserves to have superiority over the rest." The god Nārāyaṇa created, by a fiat of his will, a son born of his *tejas* or lustre, named Virajas. It was, however, the seventh descendant from Vishṇu who was crowned king. He was created out of the right arm of Veṇa, who had been killed by the angry sages for his tyranny. And he was enjoined by the gods and the great sages to take the following oath: "I will, in thought, word, and deed, always protect the *Brahman* which is on earth. I will fearlessly maintain the law in accordance with Daṇḍanīti. I will never act with caprice. Brāhmaṇs are not fit to be chastised by me. And I will protect the world from an intermixture of castes." Details have been adduced as to who became his priest, his astrologer, his counsellors, his companions, and his bards and

panegyrists. We are further informed how Pṛithu made the surface of the earth level, which was very uneven before. And then we are told that Vishṇu the deities, the *ṛishis*, the Regents of the world and so forth assembled together for crowning Pṛithu. Because he gratified (*rañjitaḥ*) all the people, he was called Rājan (king); and because he protected the Brāhmaṇs against wounds (*kshata-trāṇāt*), he earned the name of Kshatriya. The eternal Vishṇu himself confirmed his power, telling him,—"No one, O king shall transcend thee." The divine Vishṇu entered his body! and for this reason the entire universe numbered Pṛithu among humang gods (*nara-deva*) and worshipped him as a god. What other cause is there in consequence of which the multitude live in obedience to one save the divinity (of the monarch)? A person upon the exhaustion of his merit comes down from heaven to earth and takes birth as a king conversant with *daṇḍanīti*, and becomes endowed with the greatness of Vishṇu. Established by the gods, no one transcends him. It is for this reason that the world becomes subject to him and can never command him. Since that time there has been no difference between a *deva* and a *nara-deva*, between a god and a human god, that is, between a god and a king.

It will be seen that, according to this theory, the pre-political condition consists of two stages. The first was one of peace and freedom, where people protected one another according to Law (*Dharma*) and where the chastising influence of *daṇḍa* was not felt. This state of nature bears a close correspon-

dence to that described by Locke whose 'dictates of right reason' are practically the same as the *Dharma* of the Indian theory. In the second stage *moha* or infatuation took possession of the human beings, and confusion arose. The gods (not the people), being alarmed, went to Prajāpati Vishṇu, from whom sprung up a mind-born son called Virajas. It was, however, Pṛithu Vaiṇya, seventh descendant from Vishṇu, who was crowned king. Vishṇu is here called *sanātana* (Eternal), *bhagavān* (divine) and Prajāpati (Creator). Besides, when Pṛithu Vaiṇya was crowned king by Vishṇu, the latter, we are told, was accompanied by Śakra together with his gods, by sages, the regents of the worlds, and so on. Vishṇu is thus differentiated from the gods and their lord Indra. He is, therefore, here looked upon as Supreme Being, and not a mere god. When, therefore, we are told that Pṛithu was crowned king, we naturally have to understand that he was so crowned by the Supreme Being Himself. And when we are further told that Vishṇu Himself entered the body of Pṛithu after his coronation and that a king is a god who upon the exhaustion of his merit descends to earth from heaven endowed with the greatness of Vishṇu, there can absolutely be no doubt as to the divine origin of kingship. The king, according to this theory, is a human god created and permeated by Supreme Being. But what about the oath which, we are informed, was exacted from Pṛithu Vaiṇya before his coronation? Does that not show, it may be asked, that there was here a contract, one party to which was the king who for his own part announced his own stipulation by

pledging himself to protect the Vedas, respect the Brāhmaṇs, prevent the intermixture of castes and govern according to *daṇḍanīti*? This apparently smacks of the Governmental Compact. How can this element be harmonized with the divine origin of the king set forth in this theory? The reply is that this was doubtless something like a contract to which the king was one party. But then who was the other party? Was it his own subjects? Far from it; for he gave this pledge, not to his own people, but to the gods and the sages. This cannot thus possibly be looked upon as a governmental compact, in the proper sense of the phrase. The full significance of the pledge we will see later on. But the present one may be safely looked upon as a theory setting forth the divine creation and essence of the king.

What is the upshot of this disquisition? What addition does it make to our knowledge of the political thought of Ancient India? We find that there were manifold theories about the origin of kingship that were dominant in Ancient India. It is true that none of these, we find, bears the character of a system. But this need not surprise or disappoint us. For all the ancient books on polity that were in existence before the time of Kauṭalya seem to have been lost. There is reason to suppose that many of them contained some reasoned speculation of the political philosopher. If we ever are so fortunate as to light upon the original work of, say, Bṛihaspati or Bhāradvāja, there is every likelihood of our finding these theories more lucidly and systematically set forth.

As it is, we have to be content with what little we find in the Sanskrit and Pāli literature in general, and the Mahābhārata in particular. We know that the rays of light which are supplied from these sources are very few and scattered. Nevertheless, we have in this Lecture brought them to a focus, not perhaps without interesting results. Those who are acquainted with the development of political philosophy in Europe in the seventeenth and eighteenth centuries need not be told that the Western theories divide themselves into two groups, those of Social Contract and those of Divine Right. Almost the same thing is perceptible in regard to the Hindu theories we have so far surveyed. Here too we have the ideas of contract and of divine origin more or less clearly developed. What further we have to remember is that here is also a third group of theories which is not noticeable in the political speculation of Europe, namely, theories about the superhuman or supernatural as distinguished from the divine origin of the king. We will pass them under a brief review so that we may have a perspective of them all.

There are only two Hindu accounts of the origin of State, which have some points of contact with the Social Contract theory of Europe. It is well-known that the latter contains three essential factors, namely, (1) the state of nature, (2) the Social Compact and (3) the Governmental Compact. It is seldom that all these three elements are clearly present in any one of these theories even in the West. Now as regards the Hindu accounts, the first of these is that supplied by the Dīgha-Nikāya. Here the idea of the Govern-

mental Compact is fairly well brought out. But there is little in this theory which can correspond either to the Social Compact which is here of a very nebulous character or to the state of nature which is here not of human, but of some self-luminous, beings, composed of the substance of mind. The second account is that which is contained in Chapter 67 of the Sāntiparvan. Here curiously enough all the features of the Social Contract theory are present and in a fairly sharp-cut fashion. The state of nature in this case, as we have seen, was a state of war which was succeeded by the formation of a Social Compact which inspired confidence among all classes and ensured peace and good will for some time. This was followed by the Governmental Compact by means of which the liberty of individuals was transferred to the hands of a single individual, namely, the sovereign. So far as we see, this theory which is to be ascribed to Bhāradvāja is not only a full-fledged one, satisfying all the conditions of the Western theory of Social Contract, but also one which makes the closest approach to that of Hobbes. Hobbes, however, was the theoretical apologist of Stuart despotism and held that by means of the Governmental Compact absolute power was irrevocably transferred to the ruler.[1] "Since he was not a party to the contract, he could not break it, neither could the people withdraw rights which they had irrevocably transferred. Obedience was nece-

[1] Dr. U. Ghosal holds that "Hobbes permits the subjects to cancel their obligation to the sovereign in the event of the latter's failure to protect them from the evil of anarchy" (*A History of Hindu Political Theories*, p. 276, note), but does not specify his grounds.

ssary, no matter how the sovereign exercised his power, and the right of revolution was for ever gone."[1] Such was not, however, the case with the Social Contract theory by the Hindu political thinkers. According to the latter the king was still the servant of the people. The sixth part of the grains and the tenth part of the merchandise that was his due was but the wage that he received for his service to the people. This is also the view of Kauṭalya, who goes even one step further and says that "Whatever of the property of citizens robbed by thieves the king cannot recover, shall be made good from his own pocket."[2] This was also the view of Baudhāyana, Gautama, and other authors of the Dharmaśāstra. In fact, the idea that the king was a servant of the people continued down to the 3rd century A.D., that is, till the time of the Buddhist monk Āryadeva. Even he could not help blurting out: *Gaṇa-dāsasya te darpaḥ shaḍbhāgena bhṛitasya kaḥ*, 'what superciliousness is thine (O king), who art a (mere) servant of the body politic and receivest the sixth part of the produce as thine wage?' The king's power can thus hardly be supposed to be absolute or arbitrary, and it is this feature that distinguishes the Hindu theory of Social Contract from that propounded by Hobbes, and perhaps marks its superiority over the latter.

The second group of Hindu theories that we have now to pass under rapid review is connected with the supernatural origin of the king. We have seen above that the Sanskrit word *deva* signifies both

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[1] Gettel's *Introduction to Political Science*, p. 84.

[2] *Carmichael Lectures*, 1918, pp. 123 and 129.

a deity and Supreme Being. There are some Hindu theories which hold that the king either is an abode of gods or is a god himself. The king cannot, according to this view, be taken to have a divine origin as the word 'divine,' in this phrase at least, always refers to Supreme Being. Those of the first group have been designated theories of the superhuman origin or essence of the king to distinguish them from those which represent the king as having emanated from or pervaded by Supreme Being. The first group again may be divided into two sections according as they regard the king, the ruler, as a mere abode of the Regents of the Quarters or a god by himself performing the functions of the latter. The view of Wind-god Mātariśvan is that the king is Indra, Yama and Dharma, that is, an abode of these Regents of the Quarters. In between this view and the Social Contract falls the theory set forth and apparently countenanced by Kauṭalya which is a combination of the two. It is true that the king was elected by the people in accordance with the Governmental Compact, but by virtue of it he has come to occupy such a lofty and sublime position that being also a dispenser of awards and punishments, he can very well be looked upon as an abode of Indra and Yama. It deserves to be noticed that in the Maurya period kings, though they were called *rājan*, were also addressed as Devānām-priya. This was the title of Aśoka as is evident from his edicts. His grandson Daśaratha also bears the same title. And there are found epigraphs even in Ceylon, which give this epithet to at least three of its early kings. Now

Devānām-priya means 'beloved of the gods.' Why should a king be looked upon as beloved, not of God, but of gods ? The most plausible explanation is that he was looked upon as a well-known abode of chiefly the Regents of the Quarters, such as Indra and Yama. Soon after the Mauryan period, however, the king became not a beloved of the gods but a god himself, not an abode of the Regents of the Quarters but a god performing their functions. This is the view, as we have seen, which was propounded by Bṛihaspati to Vasumanas, and was carried one step further by Manu who not only accepted that the king was a god discharging the function of the various Guardians of the Quarters but a god created by the Supreme Being to prevent a state of anarchy. It is Manu who for the first time imports the element of really divine origin. But a still further development of this idea of kingship, as we have seen, has been formulated in Chapter 59 of the Sāntiparvan. Here we find that the king is not simply created and crowned, but also pervaded and supported, by Vishṇu as the Supreme Being.

A theory similar to the last is the doctrine of the divine right of kings which was started and developed by Christian Apostles and Fathers in Europe. Paul, e.g., declares :—"The powers that be are ordained by God. Whosoever therefore resisteth the power resisteth the ordinance of God....He is the minister of God, a revenger to execute wrath upon him that doeth evil."[1] It was, therefore, per-

[1] W. A. Dunning's *A History of Political Theories, Ancient and Mediaval*, p. 178.

fectly intelligible when Fathers Irenœus, St. Ambrosiaster and St. Augustine propounded the view that the ruler was not only the minister of God's remedy for sins but the instrument of His punishment.[1] It was also no wonder at all if in his speech to Parliament in 1609 James I of England declared: "Kings are justly called Gods; for that they exercise a manner or resemblance of Divine power upon earth: For if you will consider the Attributes of God, you shall see how they agree in the person of a King. God hath power to create, or destroy, make, or unmake at his pleasure, to give life, or send death, to judge all, and to be judged nor accountable to none: To raise low things, and to make high things low at his pleasure, and to God are both soul and body due. And the like power have Kings: They make and unmake their subjects; they have power of raising, and casting down; of life, and of death; judges over all their subjects, and in all cases, and yet accountable to none but God only. They have power to exalt low things, and abase high things, and make their subjects like men at the Chess."[2] Surely enormity cannot further go. Fortunately for India though the divine origin of kings was maintained by some schools, it was never pushed to any absurd extreme. For if we just recall to our mind what is set forth in Chapter 59 of the Sāntiparvan which is the only place in ancient Indian literature which speciously sets

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[1] A. J. Carlyle's *A History of Mediæval Theories in the West*, Vol. I, p. 148 and ff.

[1] Mc Ilwain's *The Political Works of James I.* (Harvard Political Classics), pp. 307-8.

forth the divine origin of kingship, we find that an oath is exacted from Pṛithu Vaiṇya by the gods and the sages immediately before he is crowned. He solemnly promises to protect the Vedas, respect the Brāhmaṇs, maintain the social and moral order, and prevent an intermixture of castes. It is only when he pledges himself to this line of policy that he is crowned king by the gods and the sages under the auspices of the Supreme Being, Vishṇu, who now enters the body of Pṛithu Vaiṇya and makes of him a *nara-deva*, ruling over and transcending all mankind. This coronation oath naturally implies that a king is a *nara-deva*, and continues to be pervaded and presided over by the Supreme Being only so long as he sticks to that oath. The clearest implication is that as soon as he commits a breach of this pledge, the divine contract into which he has entered with the gods and sages is forthwith dissolved, and the other party, namely, Vishṇu as Supreme Being and as the head of the gods and sages is under no obligation to pervade him, and the divine essence of the king forthwith evaporates. Such is the view of Manu also. Although he ordains that a king is not only a creation of Supreme God but a great deity himself, he tells us in the same breath that for the sake of the king He created His own son, namely, Chastisement (*Daṇḍa*), the protector of all people, that is the Law (*Ḍharma*) itself, but that he who inflicts it must discern well (vs. 25-8) ; otherwise, that Chastisement itself, if unjustly inflicted, will strike down the king together with his relatives, castles and territories. Evidently his divine origin and superhuman

nature will not serve a king, the moment he swerves from Dharma or Law.

There is, however, one passage from a Sanskrit work bearing on this point which we cannot pass over in this connection. It is not from any Artha- or Nīti-śāstra, but rather from a Smṛiti of the fourth or fifth century A.D., namely, the Nāradasmṛiti. There we are told that "a ruler has purchased his subjects through (the practice of) austerities; therefore the king is their lord. For that reason, his bidding must be obeyed; their livelihood even depends on the king", and also that "as a husband though feeble must be constantly worshipped by his wives, in the same way a ruler though worthless must be (constantly) worshipped by his subjects".[1] From this one is apt to infer that here we have a categorical statement that the king should be honoured irrespective of his personal qualifications and his orders obeyed without reference to their moral justification. It may be contended that Nārada here inculcates the doctrine of passive obedience, on the part of his subjects, in its extreme form, thus making the closest approach to the Western theory of Divine Right. But if we read the whole chapter carefully, we shall find that whereas verse 8 says that "what is opposed to revealed and traditional law, or injurious to living beings, must not be practised by the king", verse 12

[1] Verses 22 and 25 from the *parisishta* of the text of the *Nārada-smriti* published by Julius Jolly (Beng. As. Soc.'s edition, 1885). The same verses quoted in Mitramiśra's *Rājniti-prakāsa* (Chowkhamba Sk. Series). For their translation by Julius Jolly, see *Sacred Books of the East*, Vol. XXXIII, p. 217.

further distinctly permits us to advise or even rebuke a king, in spite of his dignity and sanctity, if he swerves from the path of duty. It will thus be seen that even this passage from the Nāradasmṛiti does not ordain the doctrine of Divine Right. And, in fact, so far as we know, no school of Hindu Polity or Law, though it may propound the divine origin of kingship, does either acknowledge the king's rule by divine right, or consider his person as divine.

The idea of the divinity of a king is not confined to India alone. It is well-known that Pharaohs of Egypt were styled *Si-re* or sons of the Sun-god, and are represented in sculpture as being protected by the rays emanating from the orb of the sun. This pretention to divinity seems to have been borrowed from them by Ptolemies of Egypt and also by the Seleukides".[1] Their example was followed not only by Bactro-Greek kings but also the Parthians. Thus we find Euthydemos receiving the posthumous homage of being styled Theos. And Antimachos and Agathocles actually called themselves during their lifetime Theos and Theothropos (Son of God). The Kushana emperors, Kanishka, Huvishka and Vāsudeva, are known to have assumed the title of Devaputra in their formulary, which, antiquarians and archæologists think, is a mere Sanskrit translation of the Chinese Tien-Tzen (Son of Heaven).[2] But the Kushanas went one step forward by representing themselves

[1] *Ind. Ant.*, 1903, p. 430 and ff.

[2] It, however, seems better to take *devaputra* as the Sanskrit equivalent of the Greek *Theothropos* by which Agathocles styled himself.

on their coins with the nimbus, aureole, clouds or flames to indicate their divine origin just as the Hellenic divinities figure on those of the Indo-Bactrian Greek princes.[1] The Kushanas were succeeded by the Guptas in their sovereignty over Northern India. And we find the latter princes also depicted on their coins with a nimbus round their head. This need cause us no surprise, because deities are described in early Brahmanical and Buddhist texts as self-luminous in body. And further, as we have seen from the Taittirīya-Brāhmaṇa, Indra, who is here typical of the king, was endowed with the lustre of Prajāpati which was like that of the Sun and shaped like a golden disc. It was therefore natural if the Gupta princes adopted the nimbus from their Kushana predecessors, as these were not necessarily unassimilable features. But they too seem to have gone one step further. For in the celebrated Allahabad Pillar Inscription (1.28) of Samudragupta we find that this king is described as "A human being only in the performance of the rites and established practices of the world (but veritably) God with the world as his residence" (*lokad'hāmno devasya*). It seems that Samudragupta is here identified with, not a god, but Supreme Being. Nevertheless, he has been called *Dhanada-Varuṇ-Endr-Āntaka-sama*, that is, equal to Kubera, Varuṇa, Indra and Yama, the Regents of

[1] In some of the office documents, recovered in Khotān during excavations, which belong to the Kushana rulers, we meet in the complimentary introductions with such phrases as *deva-manushya-sampujita*, 'honoured by gods and men', *prachachha-devata* (Sk. *pratyaksha-devatā*), 'a divinity incarnate' (M. A. Stein's *Ancient Khotan*, Vol. I, p. 366, n. 17).

the Quarters. It is curious how, if he performed the combined function of these Guardians of the world, he could be looked upon as not a god but God. The contradiction may perhaps be explained by saying that the Regents of the Quarters were, after all, so many forms of Supreme God, so that Samudragupta could be both. That the Gupta kings were raised to the dignity, not of a mere god but of Supreme Deity, is quite clear from the fact that Kumāragupta and Budhagupta adopted the title of *parama-daivata* in their formulary in the Dāmodarpur copper plate grants.[1] *Parama-daivata* can signify 'Supreme Deity' only, and it cannot possibly be doubted that they took themselves to be identical with the Supreme Being. From Chapter 59 of the Sāntiparvan we have seen that the king is called a *nara-deva* and is taken to be pervaded by Vishṇu as Supreme Being. It was in accordance with this Hindu belief that the Gupta sovereigns seem to have claimed identity with the Supreme Deity.

We cannot properly conclude our enquiry into the origin of the state without taking note of another theory which presents what may be called the paternal view of Kingships.[2] In the Sāntiparvan we have at least three verses which refer to this conception of the king's duty. One verse has :

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[1] *Ep. Ind.*, Vol. XV, pp. 130, 133, 135, 138 and 142. Corresponding to *parama-daivata* of the Dāmodarpur grants, we have *param-esvara* of somewhat later plates. The last phrase also must be taken to mean precisely the same thing.

[2] This was first pointed out by Mr. N. C. Banerji in the *Calcutta Review*, 1922, Oct.-Dec., p. 392 and ff.

"He is the best of kings in whose dominions men move fearlessly like sons in the house of their father." (LVII. 33).

Then in Chapter 139 we have two verses:

"Manu, lord of created beings, has spoken about these seven qualities of the king, namely, that he is mother, father, preceptor, protector, Fire, Vaiśravaṇa, and Yama. (V. 102).

"The king, who is compassionate towards the subjects, is, indeed, the father of the people. The man, who behaves himself falsely towards him, is born an animal (in the next life)". (V. 103).

The 'patrimonial theory' is by no means unknown to Buddhist literature, for *Jātaka* Vol. V. p. 223 has *netā pitā uggato raṭṭhapālo.*

Thus we find that according to this view the ideal relation of the king towards his subjects is not only that of father and mother to their sons but also that of the preceptor towards his disciples. The same view seems to have been countenanced by Kauṭalya who in no less than two places refers to it in his Arthaśāstra by using the expression *piteva anugrihṇīyāt.* Thus in the chapter dealing with 'the Provincial Settlements,' the king is advised to grant exemption of taxes on certain emergent occasions, but, when this period of exemption is over, he is exhorted to treat the people as a father would his sons.[1] Similarly, the chapter concerning 'the Remedies against State Calamities' ends with an injunction to the king that he shall everywhere favour the afflicted

[1] *Arthaśāstra*, p. 47.

among his people as a father would his sons.[1] It will thus be seen that the paternal conception of kingly duties is traceable as far back as the time of Kauṭalya at-least. And what is a most gratifying circumstance in this connection is that Aśoka, who is not far removed from Kauṭalya in time and who wonderfully blended in himself the duties of the monarch and the missionary, confesses to have been guided by this ideal. Thus in Pillar Edict IV. he says: "Certainly, just as (a person) feels confident after making over his offspring to a clever nurse, (saying unto himself) 'the clever nurse desires to bring up my offspring,' even so have I appointed the Rajjukas for the welfare and happiness of the provincials."[2] What Aśoka means is that the Rajjuka officials are to his people what a nurse is to a man's offspring. Evidently he looks upon his subjects as his own children. Similarly, in separate Kalinga Edicts, he distinctly says: "All men are my offspring. Just as for (my) offspring I desire that they be united with all welfare and happiness of the world and of the next, precisely do I desire it for all men."[3] This clearly shows that Aśoka had a paternal conception of his duty as king.

Now, an impartial consideration of these data leads to the inference that among the political writings of Ancient India, there was current what is at present known as the Theory of Force[4] which, historically speaking, means that 'government is the outcome

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[1] *Ibid.*, p. 210.

[2] D. R. Bhandarkar's *Asoka*, pp. 309-10.

[3] *Ibid.*, pp. 323 and 326.

[4] Stephen Leacock's *Elements of Political Science*, p. 35 and ff.

of human aggression.' There can be no reasonable doubt that this theory came into existence at a time when the kingly power became absolute, that is, about the advent of the Mauryan supremacy. Just as children are solely dependent upon parents who can do to them just what they like, the subjects were at the mercy of the king who was thus no better than a despot. This presents a strong contrast to the notion, that was prevalent most probably before the rise of the Mauryan power and according to which the king was considered to be a mere servant of the State and was allowed to levy the prescribed taxes in order that he might receive the wage due to him for his services. But this paternal conception of a king's duty does not indicate a theory of 'self-seeking domination acquired by superior physical force' such as was hurled by the theologians of the Middle Ages against earthly sovereignty and for the glorification of the spritual power. Nor does it indicate 'the process of aggressive exploitation, by means of which a part of the community has succeeded in defrauding their fellows of the just reward of their labour.' such as has been urged by the socialists of the modern day. It points rather to the principle that government is based on the dependence of the weak upon the strong, where the stronger rules, not by repression but by benevolence, where protection is given freely to ungrudging obedience. Such is the relation of parent and child, preceptor and disciple, master and servant. This is the relation intended by this theory between the ruler and the ruled, the prince and his subjects. This theory seems to have come into

existence shortly prior to the advent of the Mauryan dynasty (325 B.C.) when the republican states were being swallowed by the powerful monarchies and the monarchies themselves were fast developing into an imperialism.

LECTURE VI.

The Nature and End of the Hindu State.

We have seen what conception the Hindus of Ancient India had of the State. Let us now try to find out what was the actual nature and end of the Hindu State. There is no single book or no single chapter of any book, which treats of this subject as a whole or even in part. There are, however, many chapters of Kauṭalya's Arthaśāstra, the Sānti-parvan of the Mahābhārata and so forth which are interspersed with incidental observations and reflections on this subject attributed to the various writers of the ancient Hindu Polity. If we can piece them together, it will be possible to obtain a fairly accurate and vivid picture of the Ancient Hindu State, which cannot but be of supreme interest to us all. Let us, therefore, make this attempt, and see what picture is held out before us.

It has been stated in one of the previous Lectures that according to the Hindu idea the State comprised seven natural elements, the first and most pre-eminent of which is *svāmin* or lord and master. We have also seen that according to almost all the theorists of Ancient India, the best type of *svāmin* is the one represented by the ruler of a monarchical state. We have also seen that Kauṭalya goes even one step further and tells us that the king is really the State, in the sense, of course, that the king, if possessed of the best and richest qualities of a *svāmin*, can enrich all the other *prakṛitis*, howsoever weak and impover-

ished they might be. So when we want to ascertain the nature and end of the Hindu State, the first question that must present itself to us is: what was expected of the king, that is to say, where was the necessity of a king at the helm of a State? Fortunately for us this question has been frequently raised and discussed in many Sanskrit works. The state of society where there is no king or where there is a weakling of a king is often imagined, and vivid descriptions given to us of the horrors that ensue from anarchy. The following quotations from two chapters of the Sāntiparvan will suffice. Chapter 67, which, as has already been seen, sets forth the Social Contract theory, contains the following typical verses bearing on our question:

"During times of anarchy, the sinful man derives great pleasure by plundering the wealth of other people. When, however, his (ill-got) wealth is snatched away by others, he wishes for a king(v. 13).

"It is evident, therefore, that in times of anarchy the very wicked even cannot be happy. The wealth of one is snatched away by two. That of these two is snatched away by many acting together (v.14).

"He who is not a slave is made a slave. Women, again, are forcibly abducted. For these reasons the gods created kings for protecting the people (v. 15).

"If there were no king on earth for wielding the rod of chastisement, the strong would then have preyed on the weak after the manner of fishes in the water (v. 16)."

The next chapter of the Sāntiparvan, that is, Chapter 68, describes a dialogue between Brihaspati

and Vasumanas. The former in his discourse expatiates upon the terrors that would ensue if there were no king to govern the State. Some of the verses that occur in connection therewith are also worthy of quotation. They are as follows:

"The duties of all men, O thou of great wisdom, may be seen to have their root in the king. It is through fear of the king only that men do not devour one another (v. 8).

"As fishes in shallow water and birds in a spot from danger dart and rove as they please (for a time) and repeatedly attack (v. 11),

"And grind one another with force and then meet with certain destruction (v.12),

"Even so men sink in utter darkness and meet with destruction if they have no king to protect them, like a herd of cattle without the herdsman to look after them (v. 13).

"Nobody, with reference to any article in his possession, would be able to say: 'This is mine'. Wives, sons, food and other kinds of property, would not then exist (v. 15).

"Ruin would overtake everything if the king did not exercise the duty of protection. Wicked men would forcibly appropriate the vehicles, robes, ornaments, precious stones, and other kinds of property belonging to others, if the king did not protect (v. 16).

"If the king did not protect, men would worry or even injure their very mothers and fathers if aged, their very preceptors, guests and elderly people (v. 18).

"If the king did not protect, impurity of birth would not be recognised; there would be no agriculture, no commercial roads; morality (*dharma*) would sink; and the three Vedas would disappear (v. 21).

"Sacrifices, accompanied by presents, would no longer be performed according to the ordinance; there will be no marriages and no festivities, if the king did not protect (v. 23).

"All kinds of injustice would set in; there would be intermixture of castes; and famine would ravage the kingdom, if the king did not protect (v. 29).

"Being protected by the king, men, being everywhere fearless, can sleep at pleasure with the doors of their houses open (v. 30).

"If the king protects, women decked with every ornament fearlessly wander without any males (to attend upon them) (v. 32).

"This world is rooted in *Vārtā* and is always protected by the three Vedas. All this remains intact if the king protects (v. 35)."

The above verses set forth the reasons why a king is indispensable. Their essence is concentrated in the verses which tell us that if there were no king, the strong would devour the weak, just as the fishes do in water, and which refer to what is popularly known as the *Mātsya-nyāya*. This seems to have been a favourite maxim with the Hindu exponents of the political science and is repeated almost everywhere to explain the necessity of placing a king at the head of government. Thus Kauṭalya has given the same illustration, not once, but twice,

in his Arthaśāstra. In one place he says : "Because, if the chastising rod is not exercised, it brings about the realisation of the proverb of the greater fish swallowing the smaller. In the absence of the wielder of the chastising rod, the strong devours the weak." Similarly, he speaks of the *Mātsya-nyāya* in connection with his account of the Social Contract theory which we have considered in the last Lecture. There he puts the duties of kings in a nutshell by saying that they are intended to ensure *yoga* and *kshema* to their subjects and remove their sins. Now, what is meant by *yoga-kshema*, and how are the kings expected to remove sins from their kingdom ? Precisely the same idea is expressed in the *Yājñavalkya-smṛiti* (I. 100), where, however, the phrase *yoga-kshema* has been explained by the Mitāksharā as follows : *alabdha-lābho yogaḥ labdha-paripālanam kshemaḥ*, "*yoga* means the acquisition of what has not been acquired, and *kshema* the preservation of what has been acquired." This is, no doubt, how the two terms have been differentiated, but both together are taken to signify 'security of possession' or 'safety of property.'

If we now consider the extracts we have cited from Chapters 67 and 68 of the Sāntiparvan, we shall be in a position to understand what is meant by *yoga-kshema*. If there is no king, nobody, we are told, can with reference to any article in his possession say—'This is mine,' and wicked people will snatch away the food, vehicles, robes, ornaments, precious stones and other kinds of property belonging to others. Women, again, are forcibly abducted. When the

king, however, protects, men can sleep at pleasure with the doors of their houses open, and even women decked with ornaments can fearlessly go to any place without any male relatives to escort them. Again, if there is no king, he who is not a slave is made a slave, and there is no agriculture, no commercial roads, and famine ravages the country. This world is rooted in *Vārtā*, which consists of agriculture, cattle-breeding and trade. All this remains intact if the king protects. In fact, all legal and economic ties of society are snapped, if there is no king to govern a country. This, in short, is what is intended to be understood by the *yoga-kshema,* which the king grants to his people. Let us now try to understand what sins exactly the king is expected to destroy in his kingdom. Here too the extracts quoted above come to our help. Of course, when the king insists upon his men respecting the mutual rights of property, the sin of appropriating what does not belong to oneself is no doubt removed. But there were other kinds of sins also which the king dissipated. For, we are told, that if the king did not protect, men would harass and even harm their mothers, fathers, preceptors, guests and other elderly people, and that all restrictions about marriage and intercourse would cease. In other words, the moral and family ties of society would be swept away in the absence of royal protection. These sins, however, are not possible if the king exercises the duty of protection. It will thus be seen that if there is no king at the helm of the affairs of a kingdom, all wholesome barriers are destroyed. and all ties, not only legal, but also social,

and moral, that bind men into society, are cut asunder. But this is not all. For, if we carefully study the excerpts cited above, we shall find that they speak also of the religious ties. For, have we not been told that if the king did not protect, the three Vedas would disappear, sacrifices would not be performed, there would be brahmanicide, and that there would be no detection of impurity of birth and consequently there would be intermixture of castes? It will be noticed that what we have stated in describing the social, moral and legal ties of society holds good for states of all ages and all climes. But what has just been stated about the sacerdotal aspect of the society is not true for all places and all times but only for a Hindu State,—a Hindu State strongly influenced by the Brahmanical order. And the question naturally arises whether these chapters of the Sāntiparvan reflect a state of society of the 4th century A.D. onwards when it was dominated by Brahmanic supremacy, or whether such a thing was prevalent in the time of Kauṭalya also, if not of his predecessors.

Let us for that reason discuss the question whether in the time of Kauṭalya and earlier the Hindu State was based on a Brahmanic foundation, such as that indicated by the Mahābhārata. In this connection we have in the main to take into consideration the third chapter of the First Book of the *Kauṭalīya*, which is called *Trayī-sthāpanā* or Establishment of the Triple Vedas. Almost at the beginning of this chapter we are informed that as the Triple Vedas definitely settle the respective *dharma* or duties of the four *varṇas* or castes and of the four *āśramas* or orders

of social life, they are of immense use, apparently to the Arthaśāstra. Then the duties of the various *varṇas* are specified. We will see what they are. The duty of the Brāhmaṇ is study and teaching (of the Veda), 'performance of sacrifices, making others perform sacrifices, and the giving away and receiving of gifts. The duty of a Kshatriya is study (of the Veda), performance of sacrifices, giving away gifts, living by arms, and protection of living beings. The duty of a Vaiśya is study (of the Veda), performance of sacrifices, giving away gifts, agriculture, cattle-breeding and trade. The duty of a Śūdra is the service of the twiceborn, *Vārtā*, the profession of an artisan and that of a bard. Then we are informed of the duties attaching to the four *āśramas*. Curiously enough, the *āśrama* of the householder is mentioned first, though it constitutes the second order of the social life. The duty of the householder, we are told, is earning livelihood by his proper work, marriage among his equals but of different ancestral Rishis, intercourse with his wife at the proper time, gifts to gods, *mane*, guests and servants and the eating of leavings. The duty of a *Brahmachārin* or Vedic Student is studying the Veda, fire-worship, ablution at the proper time, living by begging, staying with his teacher to the end of his life (as Brahmachārin) or in his absence with his (teacher's) son, or with a fellow-student. Then comes the third *āśrama*, namely, that of a Vānaprastha or forest recluse, whose duty is observance of continence, sleeping on bare earth, keeping matted hair, wearing deer-skin, keeping fire, ablution, worship of gods, *manes* and guests, and

living upon forest produce. The duty of Parivrājaka or ascetic is control of senses, abstinence from all works, possessing nothing, shunning all attachment, begging in different places, dwelling in forest, and purity internal and external. Then Kauṭalya tells us that duties common to all *āśramas* are non-injury to all, truthfulness, freedom from spite, non-wickedness and forgiveness. The observance of one's own duty (*sva-dharma*), we are told, leads to heaven and infinite bliss, but through its violation the world is ruined through *saṃkara* or confusion. This is followed by two verses which conclude the chapter. The first of these says that hence the king shall never allow people to swerve from their duties, because whoever upholds his own duty is happy both here and hereafter. The second verse, which is more important, says: "For the society, whose bounds of Aryan conduct are well fixed, which is established on *varṇa* and *āśrama* and is thus guided by the Triple Vedas, surely prospers, never perishes." We cannot have a full conception of the religious character of the Hindu state in the 4th century B.C. and earlier unless we examine the contents also of Chapter 7 of book III of the *Kauṭalīya*, which is styled *putra-vibhāga* or Distinction between Sons. In this Chapter various types of sons have been specified and their claims to the division of property discussed. Kauṭalya approves of *anuloma* marriages, that is, marriages of males with females of lower castes. He, however, disapproves of *pratiloma* or marriages of males with females of higher castes, and remarks that such marriages are possible when a king violates his own

duty, that is, the duty of preventing *saṁkara* or confusion of castes.

Let us now see what state of society is revealed to us by a critical study of these two Chapters from the *Kauṭalīya*. It is quite clear that Kauṭalya accepts the social order which is based upon *varṇa* or caste and *āśrama*. He calls it an Aryan society, and what is further interesting is that he gives us to understand that it was the social fabric sanctioned by the Trayī or the Triple Vedas. The primary duty of the king was to see that each caste and each *āśrama* scrupulously observed the duties assigned to them by the Trayī and thus preserve the Aryan character of the society. It is expressly stated that he shall allow no *saṁkara* or confusion to creep in, which must arise when people do not perform the duties of the caste or *āśrama* to which they pertain. What these duties are we have just seen, and there can be no doubt that they are practically the same as those specified by Manu. Even in the sphere of marriages there seems to be the same agreement between Kauṭalya and Manu; because whereas both allow *anuloma*, they condemn *pratiloma*, marriages. There is, however, a distinction between the society that was in existence in the time of Kauṭalya and the society that prevailed about the 2nd century A.D. when the *Manusmṛiti* was recast. We know from the *Kauṭalīya* that in certain circumstances and for certain flagrant crimes even a Brāhmaṇ could be killed. But Manu lays down that a Brāhmaṇ shall not be killed in any circumstances. Similarly, though the theory of the mixed caste is upheld by Kauṭalya,

it is given only in its broad outline, "and is widely separated from the complicated system of Manu". Nevertheless, it cannot be denied that the Hindu state, such as that described by Kauṭalya, is modelled on the Vedic pattern. And further what specially deserves to be noticed is that he does not mention any conflicting views in regard to this configuration of the Aryan Society.[1] The conclusion is further permissible that what he describes was also true and uncontroverted for his predecessors. There can, therefore, be no reasonable doubt that the Hindu state of the *Kauṭalīya* was based on religious foundation and its social arrangement looked upon as coming down from the Veda. Kauṭalya was a practical statesman. He had, therefore, to accept, as a given fact, the social fabric of his time, which had been developed and moulded according to the Vedas. Neither did he give undue prominence to this sacerdotal constitution of the state nor did he recommend any resistance to it. He had to take the structure of the society as it was in his time, and the idea of upsetting it and introducing any arbitrary change was far removed from the mind of Kauṭalya or his predecessors as it was from the thoughts of the princes of Europe during the Middle Ages.

This Vedic character of the Hindu state even in the time of Kauṭalya, no doubt, limited the scope of the state authority, and reduced it to something like a socio-religious state. But barring this reser-

[1] *Ind. Ant.*, 1924, p. 130. It is true, as we have seen above, that according to the Bṛihaspati School, Trayī was a pious fraud. But even they must have taken for granted the structure of the Aryan society founded upon Trayī.

vation, in all other spheres of interests the activity of the state was not only unbounded but also distinctly socialistic and highly beneficial to the people. Let us see how in these spheres the state exercised its function as state. The least that the king was expected to do, we have seen, was to grant *yoga-kshema* and remove the sins of his subjects. In other words, to use the language of Wilhelm von Humboldt, the state expected to ensure "the maintenance of security against both external enemies and internal dissensions." This presupposes the development of the sense of law and of the police organization. That both private and criminal law was developed at this early period is clear to any one who has read the Book of the Arthaśāstra entitled Dharmasthīya. That the state detected, pursued, and destroyed all those who were a danger to itself internally or externally by means of their espionage system is perhaps too apparent to a reader of the *Kauṭalīya*. There can be no doubt that so far as legal security and police measures were concerned, the state of the *Kauṭalīya* left little to be desired. But from this point of view the state becomes a mere Legal State or Police State. But protection of life and property and the administration of justice was not the only function of the Hindu state. It had also to take cognisance of a number of philanthropic, intellectual, and, above all, economic necessities, which had nothing to do with legal security and for which the care of the state was indispensable. Nowhere in India from the first century A.D. onwards do we find any concern evinced for the exercise of this function of the state. Perhaps in

the great political upheaval caused by the irruptions and aggressions of such foreign hordes as the Yavanas, Śakas, Palhavas, Kushanas, Hūṇas, and, in the later times, all kinds of foreign Muhammadan hordes, there was a sad neglect of the intellectual and economic interests of the state. And the cataclysm was so complete and far-reaching that the people of India do not even dream that there was a period once in their own history when the Hindu state was alive to the extreme importance of this part of its function.

It is worthy of note that most of the officials mentioned in the *Adhyaksha-prachāra* have a two-fold function to perform: (1) to carry on the administration of the kingdom and (2) to undertake and manage industries and trades on behalf of the state. Thus Sīt-ādhyaksha was the Superintendent of Agriculture. He had of course his general duties to perform such as those of the supervision of agriculture, irrigation and manuring in all parts of the country. But over and above this he was entrusted with the special duty of cultivating crown lands. "He shall employ" says Kauṭalya, "slaves, labourers and prisoners to sow seeds in his (that is, state-owned) land which has been furrowed with many ploughs. The work of these shall not suffer on account of any want in the implements and accessories of ploughing and of bullocks. Nor shall there be any delay in procuring to them the assistance of blacksmiths, carpenters, borers, rope-makers, snake-catchers and so forth. Any loss done to them shall be punished with a fine equal to the loss.[1]" Does this passage not clearly show that

[1] *Arthaśāstra*, p. 116.

the Superintendent of Agriculture was also required to cultivate the state-owned agricultural lands with the help not only of workmen but also of the machinery and livestock owned and furnished by the state? So much in regard to the land owned by the king so far as the cultivable area of the country was concerned. But evidence is not wanting from the *Kauṭalīya* of the state encourageing the settlement and formation of new villages by causing the surplus people to migrate from the thickly populated centres of the territory or by inducing foreigners to emigrate.[1] In the case of all these colonies, the agricultural land belonged to the state which disposed of it by allotting it to tax-payers only for life, leasing out to traders or cultivating it through the village menials of the state. A rigorous supervision was exercised over them, who were deprived of land if they failed to cultivate them properly but were provided with grains, cattle and money if they did the work satisfactorily.

What we have noticed about land and agriculture is noticeable in regard to industries also. Take for instance the *ākara* or the mines, about which the Arthaśāstra says that "that mine which requires much outlay and much work (upon it) shall be leased out for a share of the output or at a fixed rent. That mine which can be worked without much outlay and effort shall be directly exploited."[2] Obviously the mines were worked in a three-fold manner, namely, those that were directly worked by the state, those which were worked jointly by the state and private companies, and those which were worked solely by

[1] *Ibid.*, p. 45 & ff. [2] P. 83.

private venture. In any case the state was looked upon as the owner of the mines, for "any person" says Kauṭalya "who steals (mineral products) or carries on mining operations without a licence shall be bound (with chains) and subjected to forced labour."[1] Such was the case with the Khanyadhyaksha or the Superintendent of the ocean-mines, who had not only to attend on behalf of the state to the collection of conch-shells, diamonds, precious stones, pearls, corals and salt but also to regulate the commerce in these commodities.[2] Not only the commerce of the mineral goods but also of commodities manufactured from mineral products was centralised, and punishments inflicted on those who manufactured, sold or purchased such commodities outside the prescribed localities. Nay, there was a regular government monopoly over salt also, for "adulteration of salt" says the Arthaśāstra "shall be punished with the highest amercement; likewise, persons other than hermits (*vānaprasthas*) manufacturing salt without a licence. Men learned in Vedas (*Srotriyas*), persons engaged in penance (*tapasvins*), as well as labourers may take with them salt for food. Salt and alkalies for purposes other than these shall be subject to the payment of toll."[3] Similarly, forests also were owned and managed by the state. "The Superintendent of Forest produce" says the *Kauṭalīya*, "shall collect timber and other products of forests by employing those who guard productive forests. He shall not only start productive work in forests, but also fix adequate fines and compensations to

[1] *Ibid.*, loc. cit. [2] *Ibid.*, p. 84. [3] *Ibid.*, loc. cit.

be levied from those who cause any damage to productive forests except in calamities."[1]

Even in minor industries the state played the part of the capitalist, and carried on the manufacture of the different commodities. Thus we have Suvarṇādhyaksha, who manufactured jewellery from gold, silver and other valuable metals; Lakshaṇādhyaksha, who minted copper, silver and other coins; the Sūtrādhyaksha, who was in charge of the weaving establishment and manufactured threads, coats and ropes; the Pautavādhyaksha, who prepared and standardised all sorts of weights; and even the Surādhyaksha or Superintendent of Liquor who carried on "the manufacture of liquor and ferments by employing persons experienced in these industries and carried on liquor traffic not only in forts but also in camps."[2] In most cases, the state had a *monopoly in the articles* manufactured and any person manufacturing them in any other place was subjected to a fine.

Let us now see what the policy of the state was in regard to trade and commerce. There was a state official called the Paṇyādhyaksha or Superintendent of Commerce, who controlled the Commercial Department of the state and whose duty was not only to secure home markets for the sale of the products of the state manufactories but also to provide facilities for their sale in foreign countries. There is one passage in the Chapter dealing with the duties of the Superintendent of Commerce which shows at what profit these commodities were to be sold. "Both kinds of merchandise (local and imported)" says the *Kauṭalīya* "shall be

[1] P. 99. [2] Pp. 84, 85, 103, 113 and 119.

favourably sold to the people. He (the Superintendent of Commerce) shall avoid such large profits as will harm the people."[1] If the state was thus careful not to charge a heavy profit on its own goods, it stands to reason that they should keep watch over traders and artisans. There is a verse in the *Kauṭalīya* which says: "Thus traders, artisans, musicians, beggars, buffoons, and other idlers who are thieves, in effect, though not in name, shall be restrained from oppression on the country."[2] Similarly, in a Chapter dealing with the molestations, obstructions, and financial troubles to the state, a question is raised as to who is the worse of the two—the warden of the Marches (*Antapāla*) or a trader. The teacher of Kauṭalya says that the former is the worse, because he destroys traffic by allowing thieves and taking taxes more than he ought to, whereas a trader renders the country prosperous by a favourable barter of commercial articles. This view, however, is controverted by Kauṭalya. "The Warden of the Marches," says he, "increases commercial traffic by welcoming the arrival of merchandise, whereas traders unite in causing rise and fall in the price of articles and live by making profits cent per cent in *paṇas* and *kumbhas* (measures of grain)"[3]. Is it not clear from this that even in the 4th century B.C. there was something like 'Corners' and 'Trusts,' which are the bane of the modern civilized age? But the state of the *Kauṭalīya* was alive to the necessity of preventing this evil, and consequently we are distinctly told in this work that "merchants who unite either to prevent the sale of merchandise,

[1] P. 98. [2] P. 202. [3] P. 338.

or to sell or purchase commodities at higher prices, shall be fined 1,000 *paṇas*."[1] The state also regulated the price and profit by allowing a general profit of five per cent over and above the fixed price in the case of local commodities and of ten per cent in the case of foreign produce.[2] Enhancement of price or realisation of profit even by half a *paṇa* above this scale was punished with a fine from five to two hundred *paṇas*. The state also regulated the middle man's profit. Although these restrictions were imposed upon trade and commerce in the interests of both the state and the people, the state, be it noted or the Warden of the Marches, on behalf of the state, undertook to make good whatever had been lost by the merchants in the part of the country which was in his charge.[3] It looks as if the state thus played the role of a modern insurance company. But it may be asked: what was the state policy towards labour? We will allow Kauṭalya to speak about it. "Those who conspire" says he, "to lower the quality of the works of artisans, to hinder their income, or to obstruct their sale or purchase, shall be fined a 1,000 *paṇas*."[4] As regards wage of a labourer, Kauṭalya lays down that "wages previously settled shall be paid and received as agreed upon," and that "failure to pay wages shall be punished with a fine of ten times the amount or 6 *paṇas* and their misappropriation with five times the amount or 12 *paṇas*."[5] In cases where there is no agreement, "a cultivator" says Kauṭalya, "shall obtain one tenth of the crops grown, a herdsman of the butter clarified

[1] P. 204. [2] Pp. 204-5. [3] P. 141.
[4] P. 204. [5] Pp. 183-4.

and a trader of his sale proceeds." The state also regulated slave labour with a view to improve its condition. Thus we are told that "employing a slave to carry the dead or to sweep ordure, urine, or leavings of food ; keeping a slave naked ; or hurting or abusing him or violating (the chastity of) a female slave shall cause the forfeiture of the value paid for him or her."[1] The state also recognised the private property of a slave, for the Arthaśāstra lays down that "the property of a slave shall pass into the hands of his kinsmen ; in their absence his master shall take it."[2]

Before we close this account, we must take note of two other functions of the state, which we find emphasised in the *Kauṭalīya*. The state recognised its duty towards education, and disbursed money-grants or pensions to those engaged in the teaching of the Śāstras. Priests and learned Brāhmaṇs were endowed with land. Forests for the study of the Vedas and the growing of the *soma* plant were entrusted to Brāhmaṇs. The Śrotriyas were exempted from taxation, and received other kinds of help.[3] The state also seems to have employed many classes of teachers (*āchāryas*) and also men proficient in sciences (*vidyāvantaḥ*).[4] Evidently the state considered it to be its duty to thereby provide for the educators of the youth of the community. Next to this propagation of education, the state considered the maintenance of the distressed members of the community also to be its duty ; for, says Kauṭalya, "the king shall provide the orphans, the aged, the infirm, the afflicted and the helpless with subsistence. He shall also

[1] P. 182. [2] P. 183. [3] Pp. 46, 84, 118, 144, 161, 191. [4] P. 246.

maintain (helpless) women when they are carrying and also the children they may give birth to."[1] Most of these were employed to spin thread in the weaving manufactories of the state, and in the case of the poor but respectable women, due courtesy was shown to them by work being sent to their homes through female menials of the weaving establishment; nay, prizes were given by way of encouragement to them.[2] Some of the orphans, who were maintained by the state, were set to study palmistry, sorcery, legerdemain and so forth and formed one important class of the king's spies.[3] This is not all. It was the paramount duty of the state to fortify the people against all contingencies; for the Superintendent of Storehouse, says the Arthaśāstra, "shall keep in reserve half of his collection to ward off the calamities of the people."[4] But when such calamities actually overtook them, the state was expected to start relief works, encourage emigration, and cultivate new cereals. "During famine," says Kauṭalya, "the king shall show favour to his people by providing them with seeds and provisions. He may do such works as are connected with bridges and forts by doling out provisions, or he may distribute the provisions gratis, pawn his own kingdom or seek help from his allies, or he may cause (temporarily) the partial thinning away or complete exodus (of the population)."[5]

Thus ends a very brief survey of the duties which the Hindu State of the period of Kauṭalya

[1] P. 47. [2] Pp. 113-4. [3] P. 20. [4] P. 95.

[5] Pp. 206-7 (See also the other readings given in the second edition).

and earlier was expected to discharge. Let us now try to examine what its nature was. Now-a-days we frequently hear of the state control of land and capital, of labour and industry, nationalisation of mines, state ownership and management of industry, provision of subsistence by the state for those who cannot make a living, and of labour for those who are out of employment. These are the elements of what is known as state socialism of the modern day which has so much influenced the legislation of Europe during the last quarter of a century. And one may be pardoned if he feels tempted to see these up-to-date ideas of the modern economic world into the Ancient India of the 4th century B.C., which seems to resemble it in some striking particulars.[1] Nothing, however, can be more erroneous, because every thing depends upon the real motive, the ultimate objective, which imparts to these measures their true colour and meaning. State socialism is, after all, a form of socialism, and socialism can exist and continue only "so long as the division of the social structure into economically differentiated classes remains, and so long as that division, or any similar division, is felt by any straitened and subordinate class to be a restriction on

[1] *Sir Asutosh Mookerjee Silver Jubilee Volumes*, Vol. III, p. 429 and ff. In this article the above view was first propounded by Mr. H. C. Ray, from which are taken some of the details herein set forth, but not his conclusions. Mr. Ray was followed by Mr. N. C. Banerji in *Calcutta Review*, 1922 (Oct.-Dec.), p. 395. But the former seems now to have almost given up his old view and come to better conclusions in his article entitled *Economic Policy and Functions of the Kautiliyan State* and published in the *Jour. Dept. Lett.* (Calcutta University), vol. XIII.

freedom and a curtailment of personality." In other words, socialism is "the instinctive reaction of working-class thought and emotion towards an economic environment felt to be ethically evil, restrictive, and oppressive, combined with a steadily growing relation of personal worth and consequent desire for personal freedom and self-expression, to be achieved in an environment of greater economic liberty, more complete equality of opportunity, and wider, more satisfying fellowship." Now, there is absolutely no evidence, whether from the *Kauṭalīya*, the Mahābhārata or any other work, to show that Ancient India at any period was divided into economically differentiated classes as in the modern day, that they felt themselves to be subordinated and straitened by any restriction of freedom and curtailment of personality and that consequently they panted for personal freedom and self-expression. To assert, therefore, that state socialism is reflected in the Arthaśāstra is something inconceivable and incredible. Besides, the economic condition of Ancient India, such as has been detailed above, before a fairly close resemblance to that of almost every European country in mediaeval times. Instances are not unknown, in the case of these foreign countries, of state interference, state monopolies, and state participation in industries. But this state-capitalism was carried on or enjoyed by the state, with a view not to arrest the evil of too much competition and alter any pernicious economic environment that may have been created, but rather to make itself politically self-sufficing and fiscally self-supporting or act as a pioneer in unexplored or

insufficiently developed fields of industry where individual enterprise was shy or lacking. Though it is thus preposterous to maintain that state-socialism was prevalent in Ancient India, there can be no doubt that the socio-economic character of the state depicted in the *Kauṭalīyā* makes a most profound impression on the mind especially as we find some measures prescribed for a state which, though they were laid down at such an early age, look as advanced and thoughtful as those of the modern times.

It will thus be seen that the Hindu state of the fourth century B.C. was limited in one sense, but unlimited in another. So far as its sacerdotal or socio-religious character was concerned, it had its limitation. But this nature of the state had been handed down from time immemorial, and was accepted without approval or disapproval by all the authors of polity as the data for them to work upon. On the other hand, there was no visible assignable limit so far as the state aspired to be benevolent and helpful to the people, intellectually, economically and socialistically. And these duties it discharged almost to a perfection, and no state of modern Asia or mediaeval Europe can be found which is worthy to hold a candle to it.

In the first Lecture, it was pointed out that the Arthaśāstra was concerned with two things, namely, (1) acquistition of what has not been acquired, and (2) preservation of what has been so acquired. Daṇḍanīti, of course, concerns itself with them but also concerns itself with two more things, namely, (3) augmentation of what has been preserved and

(4) distribution among the deserved of what has been so augmented. What is meant by 'augmentation of what has been preserved'? It does not seem possible that it was anything else than the fiscal advantage derived from this socio-economic structure of the state. What the king has to preserve is, as we have seen, what the king has acquired, namely, territory or earth; and this territory he has to preserve by means of his administrative system. This we have already seen. But how can this territory which has been so preserved be made to yield more wealth? This is well nigh impossible unless the state is of a socio-economic nature, unless, that is to say, the state has owned and managed the various industries and trades. This is just what we have now probably to understand by 'augmentation of what has been preserved,' which forms the third constituent of Daṇḍanīti.

It may now be asked: Did the Hindu state of this early period have any end in view? This is the question which we now have to tackle. Fortunately, however, the reply to it seems to be contained in the import of the fourth constituent of the Daṇḍanīti, namely, 'distribution among the deserved (*Tīrtha*) of what has been augmented.' Now, who are these Tīrthas, on whom the king has to bestow the augmented portion of his wealth? In this connection it is impossible not to take into consideration what Aśoka, the Buddhist Emperor, speaks of himself as having done. In Rock Edict XII, he says that he honoured the various sects with various gifts and various honours and that the members of these sects whom he honoured were not simply the recluses

but also the householders. We have also to remember that he insists upon his people showing reverence and giving gifts to the Brāhmaṇs and Sramaṇas alike. These denote two orders of religious, but of a contrary character. The Brāhmaṇs seem to be recluses and mendicants whose speculations and disciplines were in conformity with the Vedas, and Sramaṇas whose doctrines and practices were opposed to these Brahmanic scriptures. Members of either sect, howsoever divergent their tenets may be, could lead equally holy lives, and it is for this reason that not only Aśoka but even Buddhist scriptures, which depict the social life of the time of Buddha, inculcate equal reverence to both on the minds of the people.

It is, however, worthy of note that Aśoka was not the first Indian king who showed reverence and made gifts to the monks and mendicants of the various sects. The practice seems to have been in general prevalence both after and before his time. From the *Sāmañña-phala-Sutta* of the Dīgha-Nikāya, for instance, it appears that king Ajātaśatru of Magadha, who flourished two centuries prior to Aśoka, was in the habit of paying his homage to all the celebrated teachers of the sects in his time. What could be the visible advantages from the life of a recluse? This question troubled his mind. He visited the renowned founders of the six religious orders known in his time before he called upon Buddha. They gave him each an account of ethics and philosophy of his sect. But that was not a direct and straightforward answer to his question. He was therfore compelled, we are told, to approach Buddha, who alone gave a reply

which satisfied the king. Now, the founders of these orders have been designated *titthiyas*, or *titthakaras*, in the Pāli Buddhist scriptures. Further, we know that the term *titthakara* or *tīrthaṁkara* is not unknown to the Jaina scriptures, and is used to denote their Arhats. It is also worthy of note that even Vishṇu has once been called *tīrthakara* in the Mahābhārata.[1] What does *Tīrthakara* mean? The word *tīrtha* signifies 'a ford, a passage through the river', and Tīrthakara has, therefore, been taken to denote 'one who creates a passage (through life).' So far as the *tīrthyas* or *tīrthakaras* of the Buddhist and Jaina texts are concerned, they were all recluses and were heads and teachers of the various sects. And this usage seems to be preserved even in the sphere of Brahmanism in the latter period. There is one of the ten orders of ascetics believed to have been founded by Śaṁkarāchārya, whose members adopt *tīrtha* as an honorific suffix to their names. It thus appears that long before the Christian era, the founders or heads and teachers of sects, who led the life of a recluse and developed or advocated a system of ethics and philosophy, were known as *tīrthyas* or *tīrthakaras*, because they showed 'a passage' leading to the other world for the benefit of the ignorant and illiterate mankind. They were objects of veneration to all sorts and conditions of people, who also lavished all kinds of gifts on them. In this connection it is worth recalling to mind the first visible fruit of a recluse's life emphasised by Buddha when expatiating on this subject at the solicitation of king Ajātaśatru. Buddha takes a hypothetical case of a slave of the royal household who renounces

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[1] *Anuśāsana-parvan*, Chap. 149, V. 87.

the world, joins a religious order, and dwells in solitude restraining his act, word and thought, and asks the Magadha king what the feeling of his mind would be if he came to know that, that monk was a slave of his household. "Rather should we greet him," said Ajātaśatru, "with reverence, and rise up from our seat out of deference towards him, and press him to be seated. And we should have robes and bowl, and lodging place, and medicine for the sick—all the requisites of a recluse—made ready, and beg him to accept of them. And we should order watch and ward and guard to be kept for him according to the law."[1] If such was the reverence expressed by such an illustrious ruler as Ajātaśatru for such an insignificant person as a slave when he had became a recluse, what must be the degree and intensity of reverence that any king would exhibit to a man who was not merely a recluse but the head and teacher, if not the founder, of a sect or school? To such *tīrthyas* or *tīrthkaras* the kings of Ancient India offered their veneration and made gifts. And for granting safety to such personages and providing for their comforts, the kings were supposed to develop the natural resources of their kingdom and augment the sources of the state revenue. Thus one object of the Science of Daṇḍanīti as of the Hindu state was to encourage and foster the life of a philosopher and thus ensure the continuance of thought in the sphere of higher realms with a view to discover an easy and correct pathway to the next world for the enlightenment and exaltation of mankind.

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[1] *Sacred Books of the Buddhists*, Vol. II. pp. 76-7.

INDEX

A

C

D

H

I

J

K

M

V